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ABSTRACT

The integration of women into law school faculties was studied to determine the interrelationships among cultural, institutional, and individual influences. Currently available data on women's representation in law schools were analyzed, and data were collected from a national law faculty recruitment conference and through on-site visits to 10 law schools. A sample of 94 men and 28 women law teaching applicants who attended the recruitment conference completed a questionnaire concerning their law teaching qualifications, job search experiences, and goals and aspirations. Additionally, eight matched and highly qualified men and women from the conference were questioned concerning the extent to which the women's job search experiences differed from those of men. Representatives of the 10 schools provided information on such issues as recruitment, hiring, promotion, and tenure. Another investigation involving a sample of 36 women faculty members matched with 36 men on teaching qualifications provided information on entry into law teaching, teaching activities, research activities, perceptions of law teaching, and perceptions of sex differences. Sixteen additional women faculty were studied to gather further perceptions of women law teachers. Lastly, a sample of 140 men and 118 women law students provided perceptions on law teaching as a career option and on women law teachers at their schools. Results revealed that women are, on some measures, being integrated into law teaching; however, some areas of concern are identified. Questionnaires, other research tools, and references are included. (SW)

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THE INTEGRATION OF WOMEN INTO LAW FACULTIES

by

Elizabeth A. Ashburn

and

Elena N. Cohen

National Institute of Education Grant No. G-79-0075

AMERICAN BAR ASSOCIATION
DIVISION OF PUBLIC SERVICE ACTIVITIES
SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES

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The findings and recommendations expressed herein are those of the research staff only and not those of the American Bar Association or its Section of Individual Rights and Responsibilities. The Section's Executive Council will be reviewing this report within the next six months for further action and possible referral to the American Bar Association.

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PROJECT SUMMARY

This study focused on several issues related to the integration of women into law teaching: 1) the status of women faculty members compared to that of their male colleagues on such "concrete" issues as: law teaching qualifications, rank, tenure, promotion and tenure rates, salary, and distribution among law schools, and 2) more "amorphous" issues measuring and influencing women's integration, among them: motivation and preferences of women for teaching, institutional characteristics related to the percentage of women on the faculty, instititutional practices concerning faculty recruitment and advancement, and attitudes of individuals within the institution about women in law teaching.

Currently available data on women's representation in law schools were analyzed to help answer these questions. In addition, the study collected data from a national law faculty recruitment conference and through on-site visits to 10 law schools.

The study focused on these 10 law schools in an effort to examine the interrelationships among the cultural, institutional, and individual factors which might significantly affect women's integration.

To serve these purposes, several samples were studied using written questionnaires and in-depth personal interviews. Some of the data were more appropriately treated through computer analysis, while others lent themselves to anecdotal reports. The following groups provided data:

- A sample of 94 men and 28 women law teaching applicants who attended the national law teaching recruitment conference. They completed a questionnaire concerning their law teaching qualifications, job-search experiences, and goals and aspirations.

- Four highly qualified women matched with four similarly qualified men from the recruitment conference. In-depth interviews, followed by telephone conversations in mid-June, focused on the extent to which the women's job-search experiences differed from those of the men.

- Representatives from the 10 schools, including: the dean, faculty members on advancement committees (recruitment, hiring, promotion, and tenure), and statistics personnel.

- A sample of 36 women faculty members matched with 36 men on teaching qualifications. Each of these individuals were requested to complete a short questionnaire and were individually interviewed. The primary areas of focus were: entry into law teaching, teaching activities, reasearch activities, perceptions of law teaching, and perceptions of sex differences. Sixteeen additional women faculty were studied to gather further perceptions of women law teachers.

- A sample of 140 men and 118 women law students identified as most likely to be "qualified" to teach law. These individuals completed a questionnaire focusing on their consideration of law teaching as a career option, and to a lesser extent, their perception of women law teachers at their schools.

These investigations revealed that women are, on some measures, being integrated into law teaching; however, some areas of continuing concern for women in law teaching were also clearly identified. Furthermore, many of these problems seemed to be primarily caused by forces more subtle than blatant discriminatory institutional policies. Recommendations were made concerning areas for further research.

PROJECT ADVISORY COMMITTEE

Section of Individual Rights and Responsibilities
American Bar Association

Carole Kamin Bellows
Attorney
Reuben & Proctor
Chicago, Illinois

William Bruce
Associate Dean
New York Law School

Hope Eastman
Attorney
C. Morgan, Jr. and Associates
Washington, D.C.

Donna Fossum
Research Attorney
American Bar Foundation

The Honorable Ruth Bader Ginsburg
U.S. Court of Appeals
District of Columbia

The Honorable Charles W. Joiner
U.S. District Court
Detroit, Michigan

Brooksley E. Landau
Attorney
Arnold and Porter
Washington, D.C.

Jean Levin
President
The Workplace, Inc.
Washington, D.C.

Soia Mentschikoff
Dean
University of Miami
School of Law

Lizabeth A. Moody
Professor
Cleveland-Marshall College of Law

The Honorable Dorothy W. Nelson
U.S. Court of Appeals
Los Angeles, California

Rhonda R. Rivera
Professor
Ohio State University
College of Law

Thomas B. Stoel
Executive Director of the
International Project
Natural Resources Defense Council
Washington, D.C.

Marna S. Tucker
Attorney
Boasberg, Klores, Feldesman and
Tucker
Washington, D.C.

E. Carrington Boggan (ex officio)
Chairperson
Section of Individual Rights and
Responsibilities
American Bar Association

Peter F. Langrock (ex officio)
Chairperson-Elect
Section of Individual Rights and
Responsibilities
American Bar Association

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Daniel Skoler, former director of the Division of Public Service Activities, initiated the project at the ABA through the Section of Individual Rights and Responsibilities. Other ABA staff members offered willing support, especially Fred Franklin, staff director of the Section of Legal Education and Admissions to the Bar and Marjorie Krajewski, also of that office. Joanne Rashbaum was the staff director for the Section. Bill Montalto, director of the Model Procurement Code Project, aided tremendously with his administrative suggestions leading to the successful completion of this final report.

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D. Kelly Weisberg updated for this project her previous study of women on law faculties.

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INTRODUCTION

When the American Bar Association (ABA) proposed in 1978 that a study be conducted concerning the status of women on law faculties, women comprised 10.6 percent of the 3,875 law teachers. The proportion of women law school graduates had increased from seven percent in 1971 to 23 percent in 1976. This discrepancy in percentages suggested that women were "underrepresented" on law faculties. There were, however, no studies to validate this speculation. In addition, complaints against law schools alleging sex discrimination in faculty hiring indicated that this seemingly disproportionate representation should be examined.

Law teachers represent an important leadership and achievement element within the legal profession. Entry is often limited to the most "brilliant" students or to practitioners who have maintained a high scholarship and intellectual posture within the profession. In the same way that barriers to the legal profession at-large are breaking down for women (including women's own belief and attitudes about the appropriateness of legal careers), it is important that barriers to the "law faculty pinnacle" be examined in terms of female access. As Weisberg (1979) stated:

> The need for more women law professors is not only in the interest of developing a law faculty more representative of the population and of the legal profession. It also stems from a need to provide the ever-increasing numbers of women law students with role models.

It is the nation's law schools which will determine the nature of female participation in the legal profession, with its enormous social, governmental and public service impact. They also will affect the extent to which women play a role in shaping the personal and professional attitudes and skills of students progressing toward careers as lawyers. If inequities are identified, it is important to examine appropriate remedial alternatives. The American Bar Association is committed to beginning the necessary self-examinations in the legal profession. It thereby hopes to encourage others to consider similar initiatives. The ABA has demonstrated its commitment to sex equity by the policy resolutions it has adopted. Among these is a resolution passed in 1972 that "All law schools should...make substantial efforts to recruit, hire, and promote women professors." In a recent statement, ABA President Leonard Janofsky (1980) reiterated the organization's commitment to women's representation in the legal profession:

> We are making substantial progress in promoting qualified women and minorities in the profession and in the Association. But the task is far from over. We cannot rest on our achievements nor pause in our continued efforts toward equality. As the Association moves into the 1980s, our progress must be measured not only by how far we have come but also by how far we have to go.

Background

The sources of concern discussed here combined to provide the impetus for this study, which is an attempt to assess the extent to which women are currently integrated into law teaching.

The original proposal for the study was comprehensive in its methodological approach and amorphous in its objectives. It called for an assessment of women's status on a national basis, in conjunction with the annual ABA questionnaire to all ABA-aproved law schools. In addition, the nine-month investigation was to include site visits at 10 to 15 law schools, interviews with law students and women who had left law teaching, surveys to recent women law school graduates, and questionnaires to a representative sample of appointment committee chairpersons. The purpose of this multi-sample study was, according to the proposal's statement, to:

> assess some of the causal factors and stumbling blocks to greater female access to law teaching posts, offer recommendations to guide women law students and attorneys as well as those responsible for law school appointments to assure optimal opportunity to women seeking careers as law teachers and to eliminate discrimination on the basis of sex, conscious or unintended, in law school faculty appointment and distribution of academic tenure.

An important study just recently completed by Donna Fossum at the American Bar Foundation reduced the immediate need for a national assessment of law teachers. The legal education community is probably unique as a profession in its comprehensive annual data collection by both the American Bar Association and the Association of American Law Schools (AALS). Fossum used the AALS data base to study the characteristics of all law teachers in 1975-76. Gender differences were of interest only secondarily in her analyses, but the total study did provide a crucial framework for this project. It also allowed this study to focus on an indepth investigation of issues related to the integration of women into law teaching.

Purpose

The study's general aim was to answer the practical question of why there are few women on law faculties. Whether this question was even warranted was not an issue. It was clear that the percentage of women on law faculties did not reflect the percentage of women law students, and that in some law schools influential in legal education, women were only minimally represented. These facts were sufficient to address the question.

The question is simple. One of the immediate potential answers was also simple: the number of women law school graduates has burgeoned only recently, and given additional time, the number of women on faculties would be expected to increase proportionately. Yet the percentage of women graduates reached 28 in 1979, and the percentage of women faculty at that time was estimated at 10.8 percent. Clearly the faculty numbers were not maintaining the pace, and other explanations were proffered: that women were not as committed as men to such a highly demanding profession, that women who wanted to teach would have opted for another profession entirely, that the men in this "clubby" male bastion did not want women, that institutional discrimination in hiring was rampant. Also, it is necessary to take into consideration the fact that openings for law faculty positions do not occur at the same rate as law student admissions. The simple question, it appeared, could be answered only by a conglomeration of approaches which spoke to both the individual and institutional factors potentially related to the issue.

This simple question became part of a broader issue of whether gender equity exists in the integration of women into the legal education profession. The issue of integration or "recruitment" of women into a profession can be viewed as a developmental concept, from the standpoint both of individuals and institutions. Actual recruitment is a complex process which can be described as "part of the social structure of occupations which defines who is acceptable for a particular work position and the manner by which one achieves acceptability" (Jones and Taylor, 1971). Women are changing in their expectations for entering the profession, which has consisted predominantly of males. Men are changing in their expectations and perceptions of women in these roles. Institutions are changing their policies and their practices in relation to women. The assessment of such a phenomenon in its transition phase must take into account the complexities of the change and of the interrelationships of the participants, in both the questions involved in the assessment and in the methodological approach.

Under such complex conditions, one approach is to "abandon" scientific method, which tends to be highly rigid and prescribed in nature. According to Phillips (1973):

> The answers we give to the questions raised by practical life are not worked out by rigid adherence to the methods of science nor are they based on adherence to the law of deductive logic....The alternative to this dependence on method and demonstration...is to employ and rely on reasoning and argumentation. [This latter method] stresses the subjective quality of social phenomena and argues that the social sciences require different methods of inquiry from those used in natural science investigations....[It is also] the sine qua non for understanding man's behavior. Unless we understand how those who are the subjects of our inquiry construct their social worlds, unless we are famliar with their commonsense constructs and experiences, we cannot engage in any type of meaningful sociological explanation.

This approach has as its premise that a well-argued opinion, while not an absolute truth, is a close approximation to a truth in which we can have a certain confidence; truth is a social construction, if truth exists at all. Thus, rather than being bound in a social science investigation by a rigid prescribed approach, a general skepticism about scientific method allows us to study our practical problem from many and various angles.

The Conceptual Model

For this study, the "skepticism of scientific method" took several forms. All of these were systematically decided upon, using as the basis for decision a model posited for analyzing factors and processes bearing on the integration of minority groups into a profession. This research model was developed for this study with the purpose of defining the points at which women might be blocked (or might be de-selecting) from entry into law teaching. It was refined as the study progressed, so that the current model presents both the original basis for the study and its refinements resulting from the findings.

Basically, the model holds that there are three points in time at which "blocks" may occur: the "recruitment" phase, the hiring phase, and "on-the-job."

The Recruitment Phase

The "recruitment stage" includes the interaction of the potential job candidate and the job recruiters, up until the hiring decision is made. At least five factors may potentially affect women differently from men at this point: individual aspirations and preferences, knowledge of job openings, knowledge of the job application process, obtaining an interview, and the interview process.

The individual variables of professional aspirations, expectations, and commitment have been posited as lower for women than for men (e.g., Ashburn, 1977). If that is the case, then the number of women desiring to enter the profession would be less than the percentage of qualified applicants would indicate, and thus recruitment efforts would be affected. Obviously, these variables are to a great degree determined prior to the "recruitment" stage.

Another important factor is knowledge of job openings. One way that applicants for law faculty positions are matched with jobs is through the Association of American Law Schools. The Association sponsors a highly systematized and well-attended annual conference for the purpose of allowing applicants to interview with law school recruitment committees for faculty positions. Law schools often have no specified positions which need to be filled immediately (it is not unusual for a part-time person to substitute), so that the faculty recruitment committee members simply look until they find the "best person" in the field, or the "best person" regardless of the field (the latter may be more true for experienced teachers).

These "best persons," however, typically do not attend the AALS Conference; their names are made known to faculty recruitment committees through other channels. As evidence of this fact, 294 people attended the 1978 Recruitment Conference; of those, 155 had teaching jobs in 1979. These 155 "new teachers" constituted only 24 percent of a total of 640 new teachers for that year. Thus 76 percent of the new faculty members were hired through other channels.

The extent to which women differ from men in their knowledge about these other channels may affect the recruitment outcomes. Also, the extent to which they use these other channels is important in the recruitment stage. Applicants need only to register with the AALS, and their resumes are included in the Faculty Appointments Register which is mailed several times a year to all the law schools. While the attention paid to these resumes by appointments committees may vary from school to school, most schools and individual faculty members are aware of this channel for potential candidates. Recent graduates, however, may not be aware of its existence. There is evidence from our study which suggests that women students at some law schools may have less access to such information.

Obtaining an interview is a third important point at which women may be blocked in the process. Our study data show that at the AALS Recruitment Conference, there is a difference in the women's favor at this point. No information exists, however, on a comparison of the number of interviews obtained through the other channels.

The actual interview situation may be the most problematic factor for women at the "recruitment" stage of integration. This point is the most difficult to study, since there are no objective reports of what occurs; we have only the views of the applicant and the interviewer. Sound documentation exists showing perceived bias against women in this process; women report different interview questions and more sarcasm and sex bias than do men (Driscoll and Hess, 1974). It is here that a decision is made regarding a "match" between the applicant and the school's criteria, and also between the applicant and the school's "personality." While this is not the point of final acceptance of a candidate, it is an important point of elimination. According to Kane et al., (1978):

> Nowhere in the screening process is a woman more vulnerable than during the oral interview. The interview takes place in private; there are no witnesses except the panelists and the person being interviewed, and usually no records are kept. Since it is difficult to establish objective criteria, subjective judgments take over and biases easily come into play....Questions asked of a woman during the interview that are not asked of a man constitute discrimination under Title VII and other laws....[W]omen are often queried about their personal lives....Women are also asked questions that are job-related that are not asked of men. [W]hen all other objective elements found to be discriminatory in employment have been eliminated, discriminatory practices during the interview should be closely studied, because the results of such interviews are most likely to be discriminatory in fact, if not in intent....Interviews, indeed, have been and are likely to continue to be discriminatory and perpetuate a bias on a conscious or unconscious level.

There is no reason to believe that serious problems do not exist for women at this point. Unfortunately, our study was not able to adequately address these issues.

It seems essential to investigate this area further, particularly for the professions. The criteria that are used for selection are often nebulous, and the manner in which they are applied can be highly inconsistent and dependent upon the individual and the situation. Even the best intentioned efforts to hire women can be subverted at this point; the unexamined premises about the nature of the job and the subliminal stereotypes of women manifest themselves in behaviors which, on the surface, appear valid. Thus an interviewer might be perceived as appropriate in an evaluative comment such as the following:

"Well, she really did not give us much of an idea of what she knew about her field." Only when another interviewer responds with "We did not really ask her any substantive questions," is the invalidity of the evaluation made apparent.

The Hiring Phase

The hiring stage is the second important point at which women may be blocked in the integration process. There are at least four factors at this stage which bear on whether a woman is hired: the hiring decision process (i.e., what criteria are used, who makes the decision, how they make the decision), salary negotiation, job requirements, and the decision to accept an offer.

The hiring decision process is important and especially complex within an academic setting. There is typically a group of people who make the hiring decision, and it appears to be a decision to accept a new member into the family rather than simply to hire someone for a job. The decision is often seen as irrevocable, or at the least very difficult to revoke. Additionally, two norms in law schools further underline this notion of "family" faculty members: there has been little mobility of faculty between schools (Fossum, forthcoming) and the award of tenure has been relatively automatic. Both these norms are currently changing, the latter perhaps more than the former. Five years ago, six of 10 candidates in higher education received tenure; currently only one in 19 receive tenure (Guthrie and Morgan, 1980); this same pattern may be true for law schools. Even though changes are occurring, the attitudes which these norms fostered toward the long-term importance of the hiring decision are still prevalent.

The same potential set of problems with nebulous criteria for selection exist at this point as in the interview at the recruitment stage. According to Kane et al., (1978), the use of informal and unspecified hiring criteria may be the factor most detrimental to women in the hiring process. In addition, the individual is subject to a more formalized group discussion and voting process in the context of the criteria. The voting process can take various forms. In some cases, the committee may essentially be the decision-makers, with faculty votes serving only as a pro forma process. In other cases, preliminary informal faculty voting may eliminate all "suitable" candidates prior to a formal faculty vote. And in other instances, a full faculty vote may serve as the essential decision-making point.

Typically, a thorough review of a candidate's credentials is conducted by at least some portion of the faculty; this runs the gamut of reading all the published work of the candidate, to eliciting student evaluations of teaching competence from prior faculty positions, to obtaining recommendations from others. The recommendations are extremely important, especially those from particular people. A stamp of approval from these sources can apparently guarantee pursuit by a law school appointments committee. These "stamps" appear to be important in the hiring process as well, and could easily give the edge to one of two equally qualified candidates. To the extent that women do not have or do not choose to use these "stamps," they can be blocked at this point.

Discussion with appointments committee members suggests that the method of faculty voting is significant in the hiring process. It may make a difference in women's integration as to whether candidates are voted "in" by a substantial majority of the faculty, or voted "out" by a substantial minority. If there are a few faculty members who, for whatever reasons or however it is disguised, are consistently against hiring women, they can be outvoted by the majority of the faculty under the first circumstance. In the second instance, however, they can wield the power of the "substantial minority" and consistently vote to exclude women and other qualified but "unusual" candidates.

This process is subject even further to individual circumstance when the definition of "substantial minority" is unclear. In such cases, it may be left to the dean to decide how loudly the minority has "yelled," and how substantial the minority actually is, either in numbers or in individual influence. This is one point at which the role of the dean acquires great significance in the integration of women into the faculty.

Another point at which the dean plays an important role is subsequent to the hiring decision at the time of salary negotiation. The salary offer is usually the dean's task. Women (even bright young women lawyers) may not understand the concept of salary negotiation. As one of the women faculty members related in her interview, she accepted the salary offered to her, not knowing she should do otherwise. Currently she is making $7,000 less than her male colleague that was her "match" in this study. If the dean's objective is to hire at the lowest salary possible, a woman may accept that low salary without question, or she may refuse the offer because it is too low, without requesting a higher salary. If that request is made, the dean essentially has the power to veto an appointment by refusing to honor the request. Clearly, the point of salary negotiation can be an effective block to the integration of women into teaching.

The same veto power holds true in stipulations placed on the job position. Offers might be made contingent upon the acceptance of teaching a particular course load, which may set up a "losing" situation. A new teacher may be asked to teach in an area which is unfamiliar to her, or she may be asked to teach only in an area which is perceived as a "soft" subject. Acceptance of such contingencies increases the probabilities of failure and/or of the perpetuation of the stereotypic woman law teacher. Refusal to do so may constitute refusal of the job offer.

Individual preferences may operate differently for women than for men in the decision to accept a school's offer for a faculty position. Information gathered in our study suggests that a married woman may pay more attention than would a man to her spouse's career needs and to her children's needs in determining whether to accept an offer. Additionally, single women may not be willing to live in areas where the single, professional life-style is an anomaly for women. These considerations may preclude the the acceptance of a job offer from schools in low population areas or in other locations considered unacceptable for these reasons.

The "On-the-job" Phase

If a woman successfully passes through the recruitment and hiring stages, the final point at which obstacles may occur to integration is during her faculty appointment period. The areas for potential obstacles at this point include individual preferences and performance, salary increases, the atmosphere of acceptance, the overload potential, and the promotion and tenure process.

Again, individual variables are important. Goals and expectations for achievement may change, as may commitment levels. Additionally, individual qualifications carry great importance for advancement; ostensibly, teaching competence must be exhibited and one must publish. Failure in either of these areas is sufficient to exclude an individual from further tenure-track teaching.

Other factors, external to the individual, may be of greater import as obstacles to women.

Failure to receive equitable salary increases may successfully indicate to women that they are not considered full members of the legal education community. Documentation of such a failure is, of course, difficult to obtain, and certainly there would understandably be a reluctance on the part of a faculty member to make a formal accusation of this. At many schools, salaries are highly confidential, but it is not unheard of for salaries to be public information. Such a process may provide incentives for faculty members and accountability for both faculty and deans in the salary reward system.

The general atmosphere of a school may also work for or against the integration of women. "Atmosphere" can be determined by a number of factors. Most obvious is the number of women on the faculty. Kanter's concept (1977a) of a "critical mass" of women--about one-third--is important for women to feel that they are part of an accepted group, and that they are accepted as individuals. The more women there are, the less an individual women is put in a "spotlight" position. The implications of this concept for women's integration into a traditionally male profession are discussed in further detail in Chapter I.

Institutional policies and individual attitudes toward circumstances of child-rearing also contribute to the overall atmosphere. Maternity leaves may be available, but as one woman in the study wondered, how will she be perceived by other faculty members if she takes a semester's leave? Will she be seen as less professionally committed? One law school dean wrote to the project concerning these issues:

> [I]f we are to recognize that there are differences between men and women, and also that these differences are good, as I truly believe them to be, then I think we must raise the question as to whether or not we wish women to become the same type of role models as the men. For example, when one of my women faculty members became pregnant, I had a great deal of difficulty in convincing her that she should not attempt to "keep up with the men" in terms of office hours and rate of publication, but rather should enjoy her pregnancy, get enough rest, and postpone some of her writing assignments until later. She was greatly concerned about how she would be regarded by male faculty members and even more concerned about her possibilities for promotion. She "did not want to get behind." It is my opinion that if women are to serve as real role models, they should not try to become identical to men, adopt the same work schedules as men, and be concerned with the same rate of promotion and tenure, particularly if they are women of child-bearing age....The qualities and insights that women faculty members will add to a faculty will more than make up for what may be deemed "lost" in the process.

These options could also be available to men; their importance to women is great, since women usually hold the primary child-rearing responsibilities.

Another factor in determining the atmosphere of a law school is the attitude among the students. As one faculty member stated, "Students can either make or break a woman at this school." One dean related, "If a woman gets off on the wrong foot here with the students, it is difficult if not impossible for her to save herself." Law students, particularly in comparison to other types of students, tend to place greater importance on being articulate and adversarial. As our data indicate, they may provide more obstacles in this way for women than they would for men faculty members.

There also exists the potential for "overload" in faculty duties, which can act as another obstacle for women. Because there are so few women, they may perceive themselves, or be perceived as, women's "representative." One new woman faculty member in the study related her experiences of the past year. She had maintained successfully all her teaching and writing responsibilities during her first year, and had, in addition, been a fully active member of the faculty recruitment committee. She said that during that year, she worked night and day, seven days a week. The desire to hire more women for the faculty, in addition to performing her other responsibilities, resulted in an overload which was discouraging because of an unsuccessful outcome.

The promotion and tenure process is the ultimate possible obstacle in the integration of women into law teaching. This, like the hiring process, is a group decision, and the same pitfalls would appear to obtain for these circumstances. Because the number of women who have been through this process is so small, we have little documentation of whether they are being blocked at this final "acceptance" stage. We know that some women have been successful, but we know nothing about the women who have not, nor do we know the outcomes of the current group of women, who are new to the law faculties within the last five years. Until we know these outcomes, we cannot make final conclusions on the adequacy of women's integration into the legal education community.

The Nature and Norms of Law Faculties

There are a number of ways in which law faculties may differ from other areas of higher education. The fact that it is a professional school may account for some of the differences; others may simply be peculiar to the legal education profession.

There is little need for a masters degree in law (LLM) and essentially no need for a doctoral degree (SJD) in order to be considered qualified for law teaching. In fact, having only a JD from certain schools is usually considered a better qualification than having a JD from other schools and an LLM from any school. While some individuals may attempt to boost their qualifications with an LLM degree from the "right" school, the essential and guaranteed qualification is a JD from the "right" school.

The law school tends to have, like the medical school, relative autonomy within the university setting. The law school salaries are higher, with the argument that high salaries are required in order to keep pace with the salaries obtainable in practice. The dean reports directly to the head of the university, unlike department heads. This means that there are more opportunities to influence final decisions in such important areas as faculty advancement and school finances. The implications of this autonomy for the integration of women into law teaching are unclear. Given that the dean provides his or her full support to that objective, it could very well be a positive circumstance.

A highly desirable qualification for a faculty position is a clerkship with a judge, preferably a U.S. Supreme Court judge. Only recently have women gained access to these competitive positions. During the 1980 term, there were six women compared to 27 men U.S. Supreme Court law clerks; there have been only four other women Supreme Court clerks in the past 85 years (One small step for women, 1980). The impact on the integraton of women into faculties which prefer that faculty members have this qualification appears obvious.

The practice of law for one or two years is also an important qualification, although there is much variation between law schools as to the extent to which it is considered a necessary as opposed to a desirable qualification.

"Clinical" courses in law school involve actual practice of the profession. Those who teach clinical courses are usually distinguished from those who teach other legal courses by the fact that they are typically not tenure-track. Often they may be practicing lawyers teaching on a part-time basis, and often the entire clinical faculty may be physically separate from the law school. Clinical courses are a relatively new and growing part of the legal education community, and schools are struggling to determine how the clinical teachers and courses should be integrated into the regular curriculum. Clinical teachers, at this point, are generally considered to be "marginal" members within the law faculty.

The nature of the clinical areas is important in understanding the sociological framework of the law faculty; it is an issue which also bears on the integration of women. The proportion of women to men in these positions is greater than in non-clinical tenure-track positions. One faculty member offered as an explanation of this that women more often had experience in public interest fields, legal aid, and government; since clinics were organized around these areas, women were more likely to be hired into those positions. One of the dangers in this occurrence is the perpetuation of stereotypes, for example, that women are "suited" for clinical teaching (e.g., "Women like to help students") and they are not "suited" for regular tenure-track positions (e.g., "Women teach better on a one-to-one basis rather than in a large lecture situation" or "women tend not to publish the kind of articles required for a tenure-track position"). To some degree, then, the integration of clinical teachers into the law faculty overlaps with the integration of women.

The role that publications play as a criterion for promotion and tenure is different for law faculties than for most other disciplines in higher education. Historically, the "tenure piece" was common; that is, one law review article was all that was necessary for the award of tenure, and tenure typically carried with it the promotion to full professor. This is unlike other academic faculties where one published article would be uncommon as sufficient publication for tenure. This is changing, however; both the number of publications and the weight they are given in the evaluation process are increasing. The type of publications acceptable as "tenure pieces" is also in transition. Schools are having to consider whether trial or appellate law briefs are evidence of scholarly competence, as well as articles and books on what some might consider non-traditional or "soft" legal subjects. To the extent that women choose non-traditional subject areas such as sex discrimination, they may suffer in this aspect of the advacement process. With the declining market for new faculty positions and the decreasing opportunity for the award of tenure, publications may take on even greater significance in the determination of who is qualified for promotion and tenure.

Caveats

The population of women law teachers is very small, approximately 500 according to ABA statistics. Ten years ago, there were many fewer: perhaps 200, although an accurate estimate is difficult. Thus conclusions about changes in women's status over time are difficult, since only recently has a population existed for study. The fundamental change has been that there were very few women on law faculties a decade ago, and now there are some.

Additionally, the schools included in this study were not selected to represent the national population of law schools on a geographical basis. This was an unfortunate outcome of the budgetary constraints.

The report includes a discussion about issues concerning the "pool" of qualified law teaching applicants. It was not the intent of this discussion, however, to define the parameters of the pool of applicants.

Organization of the Report

Chapter I is lengthy, but necessarily so. It reviews the current sources of information on women law teachers and the problems with these sources which prohibit a fully accurate assessment of the status of women in law teaching. It also outlines factors which may be related to the integration of women into law teaching, many of which were studied in this investigation. Additionally, it provides an overview of the entire study, which is reported in Chapters II through V.

Chapter II presents the first phase of the study, during which information was gathered from applicants for law faculty positions at the annual faculty Recruitment Conference in Chicago.

Chapter III presents the basis for the second phase of the study, which included the collection of data at site visitations to 10 law schools. It also reports the sample school characteristics relevant to the integration of women.

Chapter IV reports the findings from extensive interviews with men and women faculty members at 10 law schools.

Chapter V presents the results of a questionnaire to the law students considered potentially qualified for law teaching. The questionnaire was designed to assess their desire to entering teaching, as well as their perceptions of women in law teaching.

Chapter VI discusses the major findings from all aspects of the study. It pulls together patterns of data related to the model presented here for the analysis of gender equity. If only one chapter of the report is to be read, this one is most important.

Chapter VII presents recommendations for further study and for revision of the legal education community's data bases.

An executive summary will be available in the near future from the ABA's Division of Public Service Activities, Section of Individual Rights and Responsibilities, 1800 M Street, N.W., Washington, D.C., 20036.

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It was my intention at each step of this investigation to maintain the privacy of the individuals and the law schools in the study and with that limitation, to present the complex set of findings within as accurate a context as possible. In every instance, law school officials were gracious and cordial to us. I talked at length with members of faculty appointments committees, most of whom were men, as well as to all the deans and a number of men faculty members. I have great respect for what I believe are their sincere efforts to integrate women into legal education. Many men were thoughtful and articulate about the problems of women. Some women denied that problems existed for them which may also exist for other women because they are women. I was moved by one man's emotional account of his committee's extensive but unsuccessful efforts to hire a woman this past year. I was also saddened by a woman's decision not to serve on a recruitment committee again, because of the cost in time and the unsuccessful outcome.

Despite the increasing numbers of women entering law teaching, the existence of problems is unequivocal. The major question during this transition period is: We have an increasing number of women, but will they stay and succeed, or will they, for whatever reasons, leave teaching entirely? It is a crucial time, a point at which self-examination is important. Intentional discrimination is difficult to detect. Systemic discrimination (Ashe, 1980), which results from institutionalized processes and mythic cultural attitudes, does exist. It is the unexamined beliefs about the "ideal" law teacher and the stereotypic views of women, and the unexamined processes in recruitment, hiring, and promotion, which are the basis for the current problems. The ways in which these beliefs, attitudes, and processes affect women negatively are subtle, but with thoughtful inspection and analysis, they are detectable and they can be remedied.

Elizabeth A. Ashburn, Ph.D.
Project Director
Washington, D.C.
November, 1980

CHAPTER I

THE STATUS OF WOMEN IN LAW TEACHING: CURRENT KNOWLEDGE AND ISSUES

The assessment of women's integration into law teaching involves the examination of several interrelated issues. A discussion of the current data base is necessary to provide a context for the current study. This chapter, therefore, will focus on the following topics: 1) currently available sources of information, 2) differences in the status of men and women faculty members in the nation's law schools, 3) indications of ways in which "prestigious" schools differ from other law schools on the issues discussed in the second category, 4) the issue of the definition of the "pool" of law teaching applicants, and 5) additional factors related to the integration of women. Research in two related areas, women in the legal profession and women in institutions of higher education, will be introduced when it contributes to a useful perspective on women in law teaching. The bibliography includes several sources dealing with these two related areas.

SOURCES OF INFORMATION: THEIR CONTRIBUTIONS AND LIMITATIONS

There are three basic sources of information on women in law teaching: 1) The American Bar Association (ABA), 2) the Association of American Law Schools (AALS), and 3) independent studies. All contribute substantially to the understanding of women's status in law teaching, and they are the best available approximation of women's actual status. When analyzed as a unit however, these sources yield incomplete and occasionally inconsistent data which are subject to interpretive error. This section addresses weaknesses which should be recognized when conclusions from these sources are reported in subsequent discussions. Problems limited to specific issues will be discussed in the appropriate sections. The emphasis on the ambiguities of the current data is not designed to discredit them but rather to clarify by delineating what is known from what is unknown. Before such a discussion is undertaken, terms which may be unfamiliar will be defined.

The discussion of all aspects of legal education is restricted to ABA-approved law schools (Appendix 1.1). The U.S. Department of Education has recognized the ABA as a "nationally recognized accrediting agency" for professional schools of law. There are two major reasons for restricting the discussion to ABA-approved schools. ABA approval (or accreditation), determined by the ABA House of Delegates, satisfies the legal education requirements for admissions to the bar in all jurisdictions in the United States. Graduation from schools which are state-approved only does not usually qualify a person for examination in other states. Thus a law degree from an ABA-approved school appears to be the best indication of individuals' participation in the legal mainstream. Secondly, because of the standards for accreditation, ABA-approved schools are more likely to share record-keeping practices than are non-approved schools. This more consistent data collection tends to reduce error when compiling national statistics. Unless otherwise noted, figures concerning participation in legal education have been taken from the ABA annual Review of Legal Education for the years relevant to discussion.

"Law degree" will be used, unless otherwise noted, to refer to the first professional law degree: the Juris Doctor (JD) or the Bachelor of Laws (LLB). "Law school of origin" will refer to the school from which the JD was received. Because there is virtually no difference in the nature of the course of study for the two degrees, "JD" in this report will refer to both the JD and the LLB. "Graduates" will refer to JD recipients. Two other degrees will also be discussed. The master's degree (LLM) usually involves a one-year program combining coursework and research beyond the JD. The Doctorate of Juridical Sciences (SJD) is a graduate degree that involves major academic advanced publishable work.

Two other aspects of legal academe which require explanation are law review and Coif membership. Most law schools publish a law journal containing feature articles by law professors, judges, or attorneys. Selected law students offer case summaries and additional editorial assistance. While the criteria for membership (referring to student members) vary among schools, students are usually selected for the primary review (that which is referred to in this study when "law review" is used), on the basis of their academic excellence, writing achievement, or a combination of the two.

The Order of the Coif (referred to hereafter as "Coif") is an honorary legal society with chapters at 57 schools and approximately 27,000 members (as of 1978). A class rank in the top 10 percent of graduating seniors is a requirement for eligibility. Faculty members who were not members previously can be elected if a school's chapter judges that they exhibit "qualities of scholarship consistent with the objectives of the Order." Most of its members, however, are elected as students.

ABA Sources

The ABA has three sources of information on women in law teaching: 1) A Review of Legal Education in the United States, 2) a forthcoming study of law professors by Fossum, a sociologist and attorney at the American Bar Foundation (ABF) which is the ABA's legal research affiliate, and 3) an ABF study by Grossblat and Sikes concerning women in the legal profession prior to 1972.

Each year, the ABA's Section of Legal Education and Admissions to the Bar publishes A Review of Legal Education in the United

States (RLE), which contains information concerning all ABA-approved law schools. Only in recent years has the RLE compiled data by sex. It has included data about the number of women on law faculties since 1973. Data on the number of women graduates has been compiled since 1971. As early as 1963, the RLE reported the number of women enrolled. While the RLE is helpful in many respects, its main limitation is its failure to indicate a clear definition of "full-time" law teachers. This problem will be discussed in the portion of this chapter on "full-time" statistics.

The ABF study by Fossum (forthcoming) is an analysis of biographical information on law teachers listed in the AALS 1975-76 Directory of Law Teachers (hereafter referred to as the Directory). A near-final draft of the manuscript was made available to this study. Fossum also provided additional written analyses and verbal explanations for research in her study. While the main purpose of the Fossum study was to learn about law teachers in general, some comparisons were made between men and women law teachers. Fossum said that by utilizing Directory data from previous years, she obtained complete data for 90 percent (3,850 of the total 4,260 identified by AALS) of the full-time law teachers at ABA-approved law schools. Fossum also communicated that she had access to the AALS computer tapes, which specifically indicated the teachers' gender.

The Fossum report is a valuable contribution to the knowledge about law teachers. The need exists, however, for some methodological caveats. Fossum compared men and women who were law teachers in 1975-76 by the year in which degrees were awarded, in order to control for any market condition changes for law teachers over the years. Those who received their degrees in the same range of years (10-year cohorts), rather than in the same years, were compared. The four cohorts were: those who received their JDs before 1946 (one percent of 502 were women); those receiving them 1946-55 (three percent of 790 were women); those receiving them 1956-65 (five percent of 1,232 were women); and those receiving them in 1966-75 (13 percent of 1,326 were women).

She usually analyzed only the two most recent cohorts by sex, because there were not sufficient numbers of women in the earliest cohorts for meaningful study. The number in Fossum's sample and that for "full-time" law teachers in the RLE are different, as Fossum herself recognized in a footnote. She noted that the RLE counts teachers actively engaged in full-time teaching (regardless of whether they fit her definition of "tenure track") and includes ABA-accredited law schools that confer only graduate degrees and includes those in Puerto Rico. On the other hand, the AALS figures (on which she based her data), include full-time law teachers, regardless of whether they were actively engaged in teaching that academic year, and include only ABA-accredited schools conferring

JDs in one of the 50 states. Fossum's total full-time statistic is 4,260, while the ABA number for the same year is 3,584 (Table 1.1).

Another American Bar Foundation study reported figures on women lawyers as a supplement to the 1971 lawyer statistical report (Grossblat and Sikes, 1973). It provided extensive statistical information about women in the legal profession, some of which concerned the distribution of lawyers at educational institutions. There are two main problems with this otherwise informative document. First, it is almost 10 years old. Secondly, it did not make any distinctions among types of employment at educational institutions. For example, it did not distinguish between faculty and administrative appointments. It also did not distinguish among types of educational institutions, such as four-year undergraduate institutions, schools of management, and law schools. Thus while this supplement has the potential for being helpful in terms of analyzing women's status on law faculties, its current usefulness is limited.

AALS Sources

The Association of American Law Schools provides three sources of information about law teachers: 1) the Directory of Law Teachers, 2) A Register of law teaching "applicants," and 3) the Bysiewicz study (1973 a).

The Directory of Law Teachers is the most comprehensive source of information about law teachers. Published annually, it includes information provided by law school deans and individual teachers. It reports the following information: 1) a list of law teachers by school, with faculty ranks and part-time members indicated; 2) an alphabetical list of teachers, whose biographies may include such information as year of birth, degrees received (indicating type of degree, institution from which awarded, and year in which awarded), law review participation, present and previous employment (employer and dates sometimes indicated), subjects taught (indicating specialty) publications, and membership in "learned societies," and 3) a list of teachers by teaching subject specialty.

There are four major limitations of the Directory. First, as indicated in the discussion of the Fossum study, the law teachers' genders are not published in the Directory. Access to the computer tapes which do indicate sex is difficult to gain. Secondly, definitions of "full-time" and "part-time" are not reported. Thus if each school has the discretion to define these terms, what is termed "full-time" at one institution may not be so considered at another. Also, the definition of "publications" is problematic, as will be discussed in the appropriate sections. Finally there are reasons to question the accuracy of the information in the biographical sketches. Many sketches are clearly incomplete (e.g., no law school of origin). Furthermore, it is difficult to assess the amount of error introduced by different methods of data collection; while many individuals provide their own information, administrative personnel who may be unfamiliar with many of the specific aspects of the faculty's professional background may complete the forms instead.

The AALS also disseminates a Faculty and Administrative Appointments Register to law schools approximately four times a year. This includes form resumes of those who would like to be considered for faculty or administrative positions.

The results of an AALS survey were published by Bysiewicz in 1973. The survey covered law school activities from 1969 to 1972 and included 81 of the 124 AALS accredited law schools (all of which were ABA-accredited). The 81 schools responded to a four-part questionnaire concerning women in legal education and dealing with admissions, faculty, placement, and intraschool policies (1973a).

While the study provided a vital source of early statistics on women, there are some general limitations in this study. First, the sample contained data from only about half of the ABA-approved law schools in 1972-73 (Appendix 1.1). Furthermore, the article did not indicate which schools did not respond. Thus an estimate of bias in the sample is difficult to make. The nature of these missing data is confounded by those sample schools that responded to some but not to all the questions. It is also unclear who reported the data from the schools (e.g., whether faculty themselves reported their experiences or whether administrators reported faculty information second hand). Finally, the study at this point is somewhat outdated.

Independent Studies

While there have been several publications that deal in some fashion with women in law teaching (e.g., Baird, 1978; Kay, 1979; Law, 1978; White, 1967; Student Lawyer, 1980), the most thorough and pertinent for this study is a recent article by Weisberg (1979). Weisberg's study focused on recent progress in the numbers of faculty women, as well as on the problems women encountered. Statistics from the RLE and school catalogues were summarized for the academic years 1974-75 through 1978-79. Weisberg determined the sex of the teachers by their "male-" or "female-sounding" names; she sent follow-up inquiries to accurately assign gender for individuals with ambiguous names. Weisberg updated her analyses for the purpose of this study.

The Problem of Defining "Law Teacher"

Since the total population of law teachers is not large, clarity about the meaning "law teacher" is of utmost importance in assessing the integration of women into law teaching. There are problems in the use of "law teacher" in the ABA Review of Legal Education, the AALS Directory, and the Fossum study. Before these are discussed, it is important to address the general notion of "integration" into a given setting.

Integration and Opportunity

Academic institutions share certain features with other types of organizations. There are indications that having achieved a certain status or having the opportunity to achieve a certain status significantly determines academic or organizational citizenship status (Kanter, 1977 a). In other words, a "marginal" citizen is one who has not achieved a certain organizational position and who would have no opportunity to do so. In the academic arena, having tenure is usually considered the academic level toward which people aim for "integrated" citizenship. Thus according to this perceptual framework, having the opportunity to achieve tenure is a prerequisite for integrated citizenship. The role of opportunity is discussed further in the section concerning other factors related to women's integration.

If this framework is appropriate, the best estimates of the status of women are statistics on "tenured" and "tenure-track" positions. Tenure-track positions are usually those that result in a tenure offer or termination of employment within a certain time period, usally about five years (according to rules of the American Association of University Professors). Positions that involve unlimited contract renewal are not usually tenure-track. Information about the tenure-track status is not available with respect to law teachers in the current data bases. The following, however, have been used as approximations of opportunity status in other areas of higher academic institutions: 1) rank, 2) tenure status, 3) salary, 4) promotion and tenure rates, and 5) primary areas of responsibility. Several studies about women in higher education generally (not law schools specifically) have used the first four measures (e.g., Dearman and Plisko, 1979; Divine, 1976; Donald, et al., 1973; Ekstrom, 1979; Eldridge, 1978; Greenfield, 1977; Howard, 1978; Johnson, 1974; Koch, 1976; National Research Council, 1979; Safilios-Rothschild, 1979; Schrank, 1977; Selected Statistics, 1979; Stockard, et al., 1980). These types of integration indicators may shed light on the equity question even if they do not represent actual opportunity; they may yield a measure of perceived opportunity. This perception is important, since the perception of opportunity may affect an individual's performance, regardless of whether this perception is accurate (Kanter, 1977 a and 1977 b). A major problem with the approximations, however, is that there have not been systematic studies to determine the extent to which they do reflect actual opportunity. Each of these estimates of women's status will be discussed in more detail in the section concerning the data on women's integration. This introduction to the "integration" issue, however, provides a basic framework within which the issue of the definition of "integrated law teacher" can be discussed.

RLE Definitions

The RLE questionnaire distributed to law school administrators asks for the number of men and women in several different areas: full-time faculty, deans and other administrators who teach at a reduced load, librarians who teach at a reduced load, teachers from other divisions, clinical instructors, teaching fellows or associates, and part-time teachers. Of these, the "full-time" group is the best estimate of an "integrated status."

These data, if carefully collected and reported, would provide an annual measure of women's integration into law teaching. There are, however, several concerns with the RLE's collection and reporting. First, only three categories are reported in the RLE: full-time faculty, deans and administrators who teach, and part-time faculty. Furthermore, a clear definition of "full-time" is not published in the RLE's guides to reading its tables. This is curious in light of the fact that a seven-page explanatory memo on this question is distributed to those individuals completing the questionaire. The potentially problematic areas are the treatment of: visiting professors (who are considered full-time), clinicians (some of whom are considered full-time and some of whom are not), teaching fellows and associates (who are not counted), members on leave (who are not counted), and librarians who teach (those with faculty appointments who teach at a reduced load are not counted). Without additional analysis, it is difficult to determine the extent to which these ambiguities affect the validity of the statistics.

AALS Definitions

The ambiguities in the RLE data are compounded when compared to the AALS Directory data for the corresponding years. It becomes evident that the AALS defines "full-time" differently from the RLE. Fossum (forthcoming) noted the disparity between the two figures for 1975-76. The RLE reported 3,584 full-time teachers while the AALS reported 4,260. This represents a difference of almost 700 people. Fossum (fothcoming) offered some explanations for these differences (e.g., differences in inclusion of law schools in Puerto Rico or those that confer only graduate law degrees).

An AALS newsletter article (Directory of law teachers data, 1975) reported that 399 of the 4,646 (or 8.6 percent) of the full-time teachers were women in 1974-75. This is 165 more women than the RLE statistics report for the same years. An AALS newsletter (1979) reported that in 1978 there were 820 out of the 5,535 who were women (about 15 percent). Table 1.1, however, shows that for the same year, the RLE reported 429 women out of the 3,957

(10.8 percent). The AALS number of women is almost twice that of the RLE and includes almost 400 more women than does the RLE. For 1979-80, the AALS reported that 707 out of the 5,226 (or about 13.5 percent) were women, while the RLE figures revealed that 498 of the 4,146 of the total were women (about 12 percent). This comparison of the AALS against the RLE figures for three years suggests that the AALS reports a greater percentage of women than does the RLE.

The Fossum Defnition

The law teachers in Fossum's study were only those in the 1975-76 Directory who were counted by AALS as full-time and whom she termed "tenure-track." Fossum counted only those people who "had the opportunity to acquire tenure and consequently make official careers of law teaching" (Fossum, forthcoming).

In the draft of her manuscript, as well as in further discussions with researchers in this study, Fossum offered the following clarifications of her "law teacher" selection. She included all individuals (with the exceptions noted below) with any of the following titles: assistant professor, associate professor, or full professor. (These three titles hereafter will also be referred to as "opportunity" or "tenure-track" titles). She also included all deans and associate deans, regardless of whether they also held an opportunity title. She explained, however, that "virtually every" dean or associate dean had one of these opportunity ranks. Individuals who were on leave from a school were included as representatives of that school. Teachers who were visiting another school but had one of the opportunity titles at their parent school were counted as being affiliated with their parent school. If they were visiting professors who did not hold an opportunity position at another school, they were included as teachers at the visiting school. Fossum said there were fewer than 12 who fell into this last category. Individuals with opportunity titles preceded by "clinical" (e.g., clinical associate professor) were also included. When there was no indication that professors emeriti were part-time, they were included.

Fossum also identified types of individuals who were not included. Part-time (or adjunct) teachers were excluded (except those who were deans or associate deans). All librarians were excluded, because "even though they held [opportunity] ranks, the central focus of their careers was not teaching" (Fossum, forthcoming). Full-time teachers holding other ranks such as lecturer, instructor, fellow, or research associate, were excluded. Fossum wrote that this exclusion was made because these individuals "occupied positions that had no potential tenure or concomitant official career status."

When Fossum eliminated the AALS full-timers without opportunity titles (hereafter referred to as "filtered" Directory data), the difference between the AALS and RLE statistics changed. While the "unfiltered AALS" figures for 1974, 1978, and 1979 showed a higher percentage of women than did the RLE for the corresponding years, Fossum's AALS opportunity figures for 1975 showed a lower percentage of women than did the RLE. The RLE reported that almost nine percent of full-time teachers were women, while Fossum reported seven percent. This represents a difference of 23 women. Fossum counted 296 (although she only had full biographical information of 271), while the RLE reported 319. This difference suggests that the RLE figures may inflate the porportion of women who are "integrated" into law teaching.

While the Fossum definition of "law teacher" appears to be the best approximation of an "integrated" law teacher, several caveats should be made about her selection.

First, it is unclear to what extent the three opportunity titles actually reflect opportunity (i.e., whether they are tenure-track). Indeed, the National Research Council (1979) reported at least one study calling this rank/tenure-track relationship into question with respect to higher education in general. It specifically questioned the tenure-track status of the assistant professor title. Inclusion of the assistant professor title may increase the proportion of tenure-track women, since women tend to be found most often (at least among these titles) at the assistant professor level (e.g., National Research Council, 1979; Weisberg, 1979). The relationship between the titles and tenure status in law schools, however, has never been systematically studied.

A second problem concerns her inclusion of deans and associate deans. Table 1.2 shows the RLE data on the proportion of deans and administrators who teach and who are women. The figures for 1976 and 1979 indicate a higher proportion of women than was reported for full-time teachers for those years (Table 1.1). It is difficult to explain the percentage drop in the two intervening years. Thus including teachers with administrative titles may inflate the proportion of women who are teaching, especially if assistant deans are included. This problem may not be significant for Fossum's study because she indicated that the proportion of the teachers whom she included in her selection who fell into this category was small. Furthermore, the RLE figures (full-time and administrator-teachers) suggest that inclusion of teaching administrators may affect statistics on women in law teaching, and therefore demands further attention.

A fourth area of concern is the inclusion of individuals with clinical opportunity titles. Clinical positions are usually not tenure-track. In light of the growing numbers of clinical teachers and their changing status in law schools (e.g. Gee and Jackson, 1977), it is important to assess the extent to which they are integrated into the tenure-track faculty. If it is found that clinical teachers are not integrated, it is also important to determine the extent to which women's representation in the clinical faculty differs from their representation in non-clinical faculty.

Finally, Fossum's omission of librarians with opportunity ranks may be problematic in light of her other inclusions. Since her reason for not including them was that, by virtue of their primary responsibility, they were marginal members of academe, other people with opportunity titles and non-opportunity primary responsibilities should also be excluded on that basis. These might include those whose major responsibiities were in clinics (even though clinical status is not indicated in their title) or those who were in research and writing; teachers in such positions may be viewed as "marginal" to full faculty status.

Many of these ambiguities may not significantly affect the accuracy of Fossum's identification of opportunity positions because the numbers involved in potential reassignment in her study are so small. Nevertheless, since these numbers are likely to change (with the growing concern with clinics and research and writing), it is important to raise these issues for future analysis of integration into law teaching. It is especially important in analyzing women's integration; the little evidence currently available suggests that inclusion of most of these areas would tend to inflate the statistics of the proportion of women integrated into law faculties.

WOMEN IN LAW TEACHING AT ABA-APPROVED SCHOOLS

Two common questions asked in regard to sex equity are: 1) How do men and women law teachers compare in terms of their qualifications? and 2) What are the number and proportion of women teachers integrated into law schools? These two questions are essentially an attempt to focus on whether there are differences in the treatment of men and women law faculty, and if so, the extent to which such differences can be attributed to inequities. The key words in these questions are "qualification" and "integration," central terms in this study which may have several interpretations. The following discussion is an elaboration of these concepts.

Law Teacher Qualifications

As stated earlier, extensive information on law teachers is lacking. Nevertheless, a brief review of what is known about law teachers' qualifications will be given here. As previously noted, the definitional ambiguities of "law teacher" are extensive. This caveat should be kept in mind during the following discussion.

ABA standards for law teaching generally have emphasized the importance of "education" and "experience in teaching and practice" in determining the competency of potential members of law school faculties (e.g., Bysiewicz, 1973 a). This discussion is divided into: 1) academic qualifications, 2) practical qualifications, and 3) teaching qualifications.

Academic Qualifications

There is general agreement that currently the most important academic credentials are: the law school from which the JD was received, class standing, law review participation, membership in Order of the Coif, LLM, and other advanced degrees. On the basis of available data, academic qualifications do not appear to differ on the whole between men and women law teachers.

Law School of Origin. One of the most significant findings in the Fossum study is the importance of the school where the JD was conferred. Table 1.3 shows that less than 15 percent (20 schools) of the nation's accredited law schools were found to have graduated approximately 60 percent of all law teachers teaching in 1975-76. Five schools (Harvard, Yale, Columbia, Michigan, and Chicago) contributed about a third of all teachers. Fossum labeled these 20 schools "producers" of law teachers. All non-"producer" schools will be referred to as "other" schools.

Since law school of origin is an important qualification, Fossum compared men and women on this variable. Table 1.4 shows that there were no significant differences between the men and women teaching in 1975-76: over half of both the men and women teachers from the two most recent cohorts earned "producer" degrees.

Academic Honors. The term "academic honors" may refer to class standing, law review participation, Coif membership, or membership in other learned societies. This type of information is difficult to obtain; class standing is especially problematic, since many schools reportedly do not "rank" their students. "Academic honors" are defined in Fossum's study by three groups: law review editors-in-chiefs, other members of law review, and Coif members not on law review. The percentages of men and women in each of the three categories were not reported in Fossum's draft report, but Fossum presented the additional analysis for this study. Table 1.5 shows that there were no significant differences between men and women in the distribution among honors. Slightly over a third of both men and women were members of the primary law review (1,322 out of 3,579 men and 98 out of 271 women). About 10 percent (304 of the men and 29 women) were Coif members who were not on law review. When women were compared to men in the same cohort, no sex differences were found in total "academic honors" (Table 1.4). Thus the data suggest that the men and women teaching in 1975-76 were similarly qualified on this variable.

The AALS data on all teachers in 1979-80 (hereafter referred to as the AALS "total") are shown in Table 1.6. Forty-seven percent of the men and 40 percent of the women were on law review; 17 percent of the men and 9 percent of the women were members of Coif. While these statistics might suggest that the women were less qualified than the men in terms of "academic honors," the differences were not tested for statistical significance.

Table 1.7 presents data on those individuals who, according to AALS, received their first tenure-track appointment for 1979-80 (referred to as "new hires" or "new teachers"); they are also included in the "total" figures. The fact that those hired for 1979-80 appear "less credentialed" as a group than the "total" group of law teachers suggests that these criteria are becoming less important. Further investigation, however, is necessary to test this hypothesis.

It appears that the percentage of "new" men and women with these academic credentials was less than the percentage of their counterparts in the "total" group. Again, the differences were not tested for significance.

Law School of Origin and Academic Honors. There are indicators that academic honors combined with the law school of origin are perhaps the two most important qualifications in teaching; most teachers either have a JD degree from one of the "producer" schools or have academic honors. According to Fossum, "producer" graduates with academic honors constituted 26 percent of all law teachers. "Producer" graduates without honors constitued 33 percent. Graduates form all "other" schools with academic honors constituted 21 percent of all law teachers, while those from "other" schools without academic honors constituted 20 percent. Thus about 80 percent had one of the two qualifications of "producer" degree or academic honors. A comparison of the number of men and women in each of these categories was made in an additional analysis conducted for this study. Fossum compared the proportion of men and women teachers who had "producer" JDs and were also members of the law review. No significant differences were found: 34 percent of the men from "producer" schools (697 out of 2,080) were members, while 28 percent of the women were (41 out of 148; $X^2=1.85$, df=1, p=NS).

Advanced Law Degrees (LLM AND SJD). While it may seem intuitively correct that further degrees (i.e., graduate law degrees such as LLM or SJD) would be an important qualification in law teaching, there are indications that this is not the case. Thus even if sex differences were found on this variable, it would not translate into a difference in actual qualification for teaching.

Both the Fossum study and the AALS data suggest that advanced degrees are not prerequisites for law teaching. Indeed, Fossum found that those who obtained graduate degrees were not the ones who did best in their previous degrees. Fossum (forthcoming) reported that close to 60 percent of law teachers with LLM degrees did not receive academic honors at their JD school. The Fossum data (Table 1.4) for 1975-76 and the AALS data (Tables 1.6 and 1.7) show that well over the majority of men and women in 1979-80 law teaching did not have LLMs. These data also indicate that the SJD is even less prevalent than are the LLMs.

On the basis of available data, it thus appears that the academic qualifications of law teachers show few significant sex differences. The comparison of practical experience, as opposed to academic, is also important to identify any differences between men and women teachers' qualifications for law teaching.

Practical Experience

Several authors have suggested that women in the legal profession have a different professional focus than do men; they may have different subject specialties or different types of employers. It has been argued, for example, that a greater proportion of women than men pursue government and public interest jobs; men and women also may tend to concentrate on different substantive areas, with a greater proportion of women, for example, "specializing" in family law (Baird, 1978; Epstein, 1969; Grossblat and Sikes, 1973; and White, 1967.)

The AALS data on the 1979-80 teachers compare differences in the types of experience the men and women teachers had had. Table 1.6 suggests that there are no sex differences in types of practical experience among the total number of people teaching in 1979-80. The experiences were divided into private practice experience only, federal government only, state government only, and a combination of the three. Table 1.7 suggests that there are also no differences among the "new" teachers in 1979-80. Table 1.6 shows that 32 percent of the men, compared to 27 percent of the women, had private practice experience. Eleven percent of the men and nine percent of the women reported legal work in only the federal government. The percentage was similar for work in state government only: seven percent of the men and 10 percent of the women. Twenty-seven percent of the men and 23 percent of the women had experience in all three.

Additional analyses would be helpful concerning sex differences in subject specialties.

Fossum developed nine categories of career experiences occuring prior to teaching. She did not present the data by sex in her draft, but did make a modified version available for this study. Because of the small number of women in the two earliest cohorts, her analysis was restricted to a comparison of men and women in the two most recent cohorts.

Table 1.8 reveals that, similar to the AALS data, Fossum's data showed no sex differences in types of practice experience. The most common experience for both was private practice only: 41 percent of the men and 43 percent of the women fell into this category. No differences were revealed in the proportion of men and women who had no "practice" experience (i.e., those in the first three categories in Table 1.8, those who clerked and taught nontenure-track, and other). Thirty-four percent of the men and 33 percent of the women had no practice experience when Fossum conducted analyses by cohorts. However, she found one significant difference. She collapsed the nine categories into those who had some experience in clerking, practice, or nontenure-track teaching. Fossum found that significantly more women than men (40 and 27 percent respectively) who had received their degrees in the earlier cohort had had experience in nontenure-track teaching.

This difference could be explained in several ways. The most likely seems to be that these older women might have wanted to enter tenure-track teaching early in their careers in a time when the major method of entry into such positions for women was through nontenure-track teaching. While this difference between men and women in the earlier cohort is statistically significant, it may not have great importance for this study for two reasons: the difference does not exist in the later cohorts, and there are only 67 women in the earlier cohort.

Fossum's data on men's and women's practice experience is similar to AALS data about law teachers in 1979-80. Tables 1.6 and 1.7 report data by the amount of time spent in each of the following areas: 1) non-teaching legal experience (hereafter referred to as "practice experience") 2) work in the federal government; 3) work in the state government; 4) a combination of the three already mentioned; and 5) those who had no non-teaching experience.

Table 1.6 shows that 25 percent of the men and 32 percent of the women in the "total" teachers in 1979-80 had had no "practice" experience. The data on the "new hires" are similar (Table 1.7). The percentage of "new" men and women who had no non-teaching experience appeared greater than each of their "total sample" counterparts: 47 percent of the women and 40 percent of the men had no non-teaching experience. This suggests either that the "total" 1979-80 law teachers got their additional practice experience after they entered teaching, or that they had it before they entered. If it were the former, it would be consistent that the "new hires" would have less non-teaching experience; if it were the latter, however, it might indicate that the requirement for experience might not be as extensive now as it has been in the past. The extent to which either of these hypotheses is accurate cannot be ascertained from these data.

The similarities between men and women in the type of experience is also reflected in the amount of time spent in such experience. Fossum (Table 1.4) reported the mean years engaged in "early career experiences" for men and women who received their degrees between 1956 and 1975. "Early career experiences" refers only to time lapsed since JD; it does not necessarily refer to time spent in work. In the later cohort, both men and women spent an average of three years before they entered tenure-track teaching. There was a significant difference, however, between men and women in the earlier cohort. While men spent an average of six years between the time they graduated and entrance to tenure-track teaching, women spent an average of nine years. As discussed earlier, this may be explained by the law schools' hiring practices concerning women in past years.

The AALS also provided information about how men and women compared in terms of their time in nonteaching practice experience. Table 1.6 suggests no differences. Twenty-one percent of both men and women teachers in 1975-76 had one to five years of private practice. The percentage of those with one to five years of combined experience was 12 for the men and 11 for the women. Table 1.7 offers similar comparisons between men and women for those newly hired in 1979-80.

To summarize the data on the "practical experience" qualifications, the men and women law teachers in 1975-76 (according to Fossum's two most recent cohort analyses) and in 1979-80 (according to AALS) seem remarkably similar. The only differences concerned the women in the earlier cohort, and these differences do not seem substantial in context.

Teaching Qualifications

A third component of qualifications (in addition to academic and practice experience) concerns activities in teaching. The two major aspects of this are time in teaching and publication activities.

Fossum (forthcoming) appears to be the only source of information on sex differences in length of time in law teaching. Table 1.9 shows the percentage of men and women teachers in 1975-76 by lengths of time in tenure-track teaching. It reveals that about 70 percent of the women in teaching have been teaching for four or fewer years. Among men, however, the majority (59 percent) have been teaching seven or more years. This difference seems expected given previous knowledge about the greater percentage of women at the lower faculty ranks.

Research and writing is, by all accounts, an important qualification for law teachers. While the role of publications in the hiring process is unclear, there is general agreement within the legal education community that publication is a major factor in determining advancement.

Several articles have addressed the productivity (publication rate) of men and women in higher academics (e.g., Centra, 1974; Coltstein, 1979; Long, 1978; National Research Council, 1979; Reskin, 1978; Simon, Clark, and Galway, 1967). The sources generally conclude that men tend to outpublish women. One article (Reskin, 1978) compared a sample of men and women chemists. She found that even though men outpublished women, the difference was smaller than is commonly supposed. She also found that women's productivity is "more responsive than men's to prestigious postdoctoral fellowships, employment in tenure-track university positions, and collegial recognition." Other articles have addressed other variables that might explain the differences between men and women, among them family status and sponsorship.

Some sources have questioned the validity of comparing academic productivity of men and women. The National Research Council (1979) wrote:

> Research productivity cannot be used yet as an overall comparative measure of male and female academic scientists' performance. In most fields in research universities, there are not yet enough women faculty who have held professional positions with the necessary perquisites long enough to make such comparisons meaningful.

The assumptions here are that women faculty have not had equal opportunities to produce and that this results from not having held professional positions which have given them the opportunity to write. The extent to which this is true in law teaching has not yet been assessed. The National Research Council noted other reasons to treat productivity counts with caution (e.g., the problems involved in publication citation counts).

Furthermore, it has been argued that women may be producing less than men because of the forces of "tokenism" within the institutions of higher academics. The National Research Council (1979) report concluded:

> The dangers of tokenism cut both ways, as Kanter has pointed out: the token person may, by the pressures of being an outsider, be forced into behaving in uncharacteristic and counterproductive ways but the majority group may then respond similarly. Until an occasional major research department can assemble at least a critical mass of women faculty--something of the order of one-third of its members, according to Kanter's hypothesis--we do not believe studies of comparative performance will have much validity.

It has also been suggested that women teachers may spend more time with students than their male colleagues do (e.g., Student Lawyer, 1980). It has not been assessed to what extent each of these potential explanations affects the productivity rates of men and women law teachers.

None of these publication issues has been addressed with respect to law teachers. The AALS data, however, provide the closest approximation. One problem with drawing any conclusions from these data is that the definition of "publication" is not clear. The range of types of writing within the legal profession is great, and the AALS questionnaire format does not define the parameters. The AALS instructions to faculty completing the form for the Directory information, however, request only separately published works (specifically not law review articles) and that no more than four entries be reported. This deletion may be problematic, especially since there is general agreement that law review articles are the fundamental basis for evaluating teachers' research and writing qualifications. With this caveat in mind, examination of Tables 1.6 and 1.7 reveals that a large percentage reported no separately published works: 61 percent of the men and 84 percent of the women in the "total" group. Fewer "new hires," of course, reported "publications" (87 percent of the "new" men without "publications," 93 percent of the "new" women.)

To summarize the data about the qualifications of men and women who are law teachers, no significant differences are indicated in terms of academic experience or practice experience. There are, however, suggestions that men and women may differ in "teaching qualifications." Men tend to have had more time in tenure-track teaching (Fossum, forthcoming). Furthermore, AALS data indicate that a greater percentage of men than of women report separately published works.

The Distribution of Women In "Integrated" Law Teaching Positions

In the preceding discussion, the general qualifications for law teaching were presented. In addition, men and women were compared in terms of these qualifications. It is now appropriate to turn to the issue of women's distribution in "integrated" teaching positions. Common measures of integration are: 1) full-time status, 2) rank, 3) tenure, 4) salary, and 5) promotion and tenure rates.

Full-time Teachers

The problems with the RLE and AALS definitions of "full-time" have been extensively discussed in the previous section. These ambiguities also appear in those studies which use these sources as data bases. Despite the problems with RLE and AALS data, they are important sources, since they are the most readily available and "official" statistics of women on full-time faculty.

One of the earliest reports concerning the percentage of fulltime law faculty members who were women was Bysiewicz's AALS survey. The definition used for "full-time" was not reported. She reported that in 1970, four percent of the full-time faculty at the 81 law schools that responded were women (Bysiewicz, 1973 a).

The most easily accessible data on the number and percentage of women in full-time law teaching is found in a table presented in each RLE since 1973. Table 1.1 shows that according to the RLE figures, there has been an increase each year in the proportion of law faculty who are women. From 1973 to 1979, the percentage of women has almost doubled, increasing from 6.9 to 12.

As noted earlier, the AALS data reported for 1978 and 1979 are different from those the RLE reported for the corresponding years. For 1978-79, the AALS reported that 15 percent of full-time faculty were women (829), while the RLE reported about 11 percent (429 women). In 1979-80, the AALS reported 13.5 percent (707 women) and the RLE reported that 498 women constituted 12 percent. It is difficult to explain why the AALS percentage of faculty who were women decreased from 1978 to 1979. Further investigation is required to explain these differences between the AALS and RLE data and to determine the implication of the differences.

In addition to the increasing overall percentage of full-time law teachers who are women, another trend is that more schools are employing greater numbers of women. As shown in Table 1.10, about 50 percent (80 schools) employed fewer than two women in 1974-75. Only one quarter of all schools employed three or more women. In 1979-80, the percentage that employed none or only one women had been cut by half. Furthermore, the percentage of schools employing no women decreased by ten points. Finally, the percentage of schools with four or more women on their faculty increased; only 18 schools in 1974 employed four or more women, while in 1979, 54 schools did. Despite this increasing integration of women by many schools, still half of the schools in 1979-80 employed two or fewer women.

Rank Status

As discussed earlier in this chapter, assumptions are often made that rank connotes the status of integration into a faculty. The qualifications concerning this assumption with respect to law teaching have also been addressed and should be kept in mind as this topic is discussed.

One of the earliest published reports on women's ranks in law teaching was in an April 1972 AALS newsletter. It reported the following distribution of women. Thirty-three women were full professors. Of these, nine were librarians, one was a dean, and one was a director of research. In the associate professor category, there were 37 women. Of these, 12 were librarians, and one was a clinical associate professor. Forty-eight women were listed as assistant professors (12 serving as librarians). In terms of "marginal" positions, 55 were listed as instructor, lecturer, acting, adjunct, or clinical professors. In summary, using Fossum's "opportunity" categories (assistant, associate, or full professors, none of whom are librarians) only 85 of the 200 women "associated with law faculties" were in opportunity positions in 1972. In 1975, Fossum (forthcoming) reported that there were 271 women in these opportunity positions. Sixty of these were professors, 88 were associate professors, and 123 were assistant professors.

Byiewicz (1973 a), Weisberg (1979), and Fossum (forthcoming) provided additional data on ranks of women on law school faculties. It is important to note that the schools included varied for each study and for each year. Bysiewicz reported that 2.4 percent (in 1970) and 2.5 percent in (1972) of the full professors were women. Sixteen percent (in 1970) and 23 percent (in 1972-73) of instructors were women. One percent of the men in 1972 held the instructor rank, while 11 percent of the women did. She did not report other ranks.

Weisberg's analysis (Table 1.11) showed that, since 1975 the number of women at all ranks has been increasing. The pattern in Weisberg's analysis of the 1975-76 and 1979-80 academic years is similar to that in the above studies, as well as that in other areas of higher academics (e.g., National Research Council, 1979): women are most often found at the assistant professor rank, while men are most often found at the professor level. Ekstrom (1979) also reported another statistic about higher education, which gives the law school data perspective: in 1975-76, approximately eight percent of the full professors were women; 17 percent of the associate professors were women, and 30 percent of assistant professors were women. Statistics are also available concerning women in medical schools. The Statistics Update (1978) reported that 3.5 percent of the full professors in medical schools were women. Of the associate professors, 5.2 percent were women and 7.8 percent of the assistant professors were women. The percentage of assistant and associate law professors who were women appear similar to that in higher education, and is greater than that in the medical schools. It is at the level of full professor that the percentage difference is greatest.

Approximately 54 percent of the men in 1975-76 were professors (2,126 out of 3,939), while about 25 percent of the women held that rank. In 1979-80, about 57 percent of the men (2,481 out of 4,331) were professors, while 23 percent of the women were professors. Calculations from figures in Table 1.11 suggest that a greater percentage of the women than of the men was found at the associate and assistant professor ranks.

Fossum's data yielded similar information that a greater percentage of women than of men held lower academic ranks (Table 1.4). There was a difference, however, in that in the earlier cohort more women held the "professor" rank than any other rank; in the later cohort, however, as well as in Weisberg's findings, the title most often held by women was "assistant professor" (i.e., the "modal" rank in the first instance was professor, in the later cohort, assistant professor). Fossum found in the later cohort that a greater percentage of women than of men were assistant professors, while a greater percentage of men than of women were associate and full professors. This was similar to Weisberg's conclusion.

While it is tempting to make conclusions about promotion rates from these data, this is problematic for two reasons. First, there are not sufficient data to determine whether the sample in the earlier year is the same as that in the later years. In other words, sound conclusions about promotion rates cannot be made on simple percentages at two points in time. What is needed for such a conclusion is a longitudinal sutdy of the same group. Secondly, even if the sample were the same, it would be important to determine whether men and women were comparable in meeting the criteria for promotion before any conclusions could be made about equity of these rates.

Fossum (forthcoming) attempted to explain part of this difference. As discussed earlier, her study revealed few differences between the men and women law teachers in 1975-76 who received their degrees between 1956 and 1975 in terms of their academic or practice experience. There were, however, indications that there were differences in time spent in "opportunity" (i.e., tenure-track) positions. Fossum, therefore, attempted to control for time in "opportunity" positions of all law teachers (not just those in the last two cohorts). Table 1.12 shows the results of this analysis. When tested for significance, the only difference in rank was for those in tenure-track positions for one to two years. Seventy-three percent of the women who had been teaching for one to two years were assistant professors. This is 12 percentage points more than among the men. Twelve percent of the men teaching for this time period were full professors, while only four percent of the women held this rank.

Fossum (forthcoming) suggested that this difference could be "readily explained by factors other than sex." Specifically, she argued that men may be brought in at more senior roles than women may be because of greater time in practical experience. She supported this by her finding that, of those in tenure-track teaching less than three years, women on the average had two years less experience than did the men prior to teaching.

Without further investigation, it is difficult to assess the extent to which this explanation is adequate. It is very important to note that the lack of significant differences between the ranks of men and women who were teaching three or more years may be due to small sample size; the differences might be significant with a larger sample. The percentages in Table 1.12 suggest that this might be the case. More of the women than of the men teaching 3-4 years were assistant professors (49 percent and 36 percent respectively); more of the men than of the women teaching 5-6 years were professors (45 percent and 27 percent respectively). Of those who had been teaching 7-8 years, 73 percent of the men were professors, compared to 40 percent of the women.

In conclusion, the data from AALS, Bysiewicz, Fossum, and Weisberg show that there are differences in rank between men and women faculty, with more women at lower ranks. It is unclear without further investigation the extent to which those differences reflect differences in qualifications, inequitable treatment, or simply the more recent entry of women into law teaching.

Tenure Status

While there are statistics concerning women's tenure status in higher educational institutions in general (National Research Council, 1979; Dearman and Plisko, 1979; Ekstrom, 1979; Eldridge, 1978), Bysiewicz (1973 a) is the only source of all those relating to women law teachers that reported tenure statistics. Her data, however, are incomplete. She reported that 49 percent of the men and 21 percent of the women had tenure in 1972-73. Although this information is outdated and may not reflect a representative sample of all law schools, it is consistent with the general observation that a greater percentage of men than of women in higher educational institutions have tenure.

One way that tenure for women in higher education generally has been examined is by controlling for rank; the tenure status of only those men and women with similar ranks is compared. In terms of law teaching, there is no such information. There are, however, data on other institutions of higher education. The National Research Council reported that gender differences in awarding tenure still persisted in terms of academic women in science and engineering:

> Rank for rank, women faculty continued to be tenured less often than men; for all ranks, 72 percent of the men but only 46 percent of the women hold tenure appointments (1979).

It may be argued that women have entered teaching later than have men and that budgetary constraints have made the award of tenure rarer now than in the past, and this may account for a large part of the sex difference. Yet the National Research Council concluded with respect to its own study that such "benign" explanations did not account for the total disparity:

> The difficulty of making tenure decisions *vis-a-vis* the growing shortage of tenure slots would not overshadow the equal opportunity mandate. Nothing in our findings provides a rational basis for the fact that men at senior ranks are awarded tenure more frequently than women (1979).

A similar analysis of tenure with respect to law teachers is necessary to fully assess the status of women.

Salary Status

Nothing is known about gender differences in salaries of law teachers. While the *RLE* questionnaire requests extensive information about salary, it does not request the data to be reported by sex, nor does it ask for the factors affecting salary. Siegfried and Scott (1977) suggest that productivity is an important variable in determining law teaching salaries, yet it is not as crucial as in other areas of higher education. This seems to corroborate the findings of Blau, et al. (1979) that in business schools, "faculty salaries and the importance of research are substantially related; in law schools they are not."

Since there are not even preliminary data on comparisons between men and women law teachers' salaries, it is difficult to assess the extent to which generalizations about law teaching from either higher academics or the legal profession are justified. Indications in law (e.g., Ashburn, 1977; Glancy, 1970; White, 1967) and in higher academics, however, are that women have been paid less than have men. Furthermore, the literature suggests that these differences cannot be explained totally by factors other than sex. After reviewing the literature about salaries in higher education, Ekstrom (1979) concluded that "analyses controlling for field, rank, and experience show that these salary differentials [betweeen men and women in academe] persist." The fact that there is no information about gender differences in salaries of law teachers, coupled with the fact that there is information about related areas which might be inappropriately applied to law teaching, indicates the importance of collecting law teaching salary statistics by sex.

Promotion and Tenure Rates

The issues involved in promotion and tenure rates are different from those involved in rank and tenure for a given year. Furthermore, promotion rates should be distinguished from tenure rates. As indicated earlier, it is inaccurate to draw conclusions about promotion (or tenure) rates by comparing percentages at each rank (or tenure status) for one year with the corresponding statistics in other years; such comparison assumes that those people in the earlier years are the same as those in the later years, an assumption which may be inaccurate.

With respect to tenure rates, only one early study addressed law school practices. Richard (1964) found that law schools usually grant tenure between three and five years after initial appointment.

Two studies dealt with promotion rates in law school. Ryman (1972) found that the average law teacher spent three years as an assistant professor, two and a half years as an associate professor, and three years at associate rank before being promoted to full professor rank. In discussions, Fossum explained that she examined people's rank history at all institutions where they held a "tenure-track" position. She found no significant differences between the promotion rates of the men and women teaching in 1975-76. In further analysis for this study, Fossum found that women spent an average of three years at the assistant professor level before being promoted to associate professor; men spent 2.9 years (p=NS). Women spent an average of 3.6 years as associate professor before promotion to full professor; men spent 3.4 (p=NS).

Fossum's finding of no differences in men's and women's promotion rates in law schools does not parallel some studies on such rates for higher education in general (e.g., Ekstrom, 1979) and in the sciences (Robertson, 1979) which suggest that women tend to be promoted more slowly than men. Ekstrom concluded that even when publication rates of academic men and women are identical, men are promoted more rapidly (1979). Since Fossum's is the only study concerning promotion rates of men and women law teachers, further investigation may be required to validate her findings.

At this point it is helpful to discuss the criteria for promotion and tenure. Comparative rates of men and women are put into context only when men and women are compared in terms of fulfilling requirements for advancement.

There are several possible criteria on which faculty members might be judged for promotion and tenure purposes. The most-often cited (e.g., Bysiewicz, 1973 a) are: years in teaching, quantity and quality of research and writing (referred to as "research productivity"), quality of teaching, service to the institution, and service to the community.

Time in teaching may be measured in several ways. It may refer to time in any teaching status (including nontenure-track position) or it may be restricted to tenure-track positions. Furthermore, time may be measured by time spent at all law schools or it may be restricted to time at the current institution. While the American Association of University Professors offers guidelines for time schedules for advancement, they are subject to broad interpretation.

It is common knowledge that both the quantity and the quality of publications play a role in determining whether individuals obtain promotions and/or tenure. The issues involved in using productivity data for comparison of qualifications for advancement and tenure have been discussed in the previous section on teaching qualifications. Also discussed earlier were the data on law teacher productivity. To summarize, it was concluded that only the AALS data (Tables 1.6 and 1.7) offered publication information. These data were considered problematic because publications did not include law review articles, which are commonly thought to be important in advancement decisions. Nevertheless, the comparison of the "total" teachers in 1979-80 (Table 1.6) with the "new hires" (Table 1.7) provides evidence for the obvious: both men and women publish more once they have entered law teaching. While seven per cent of the "new" women had separately published works, 16 per cent of the "total" women did. Similarly, 13 percent of the "new men" had "published" and 39 percent of the "total" men had published. It is noteworthy that nine percent more men than women in the "new" teachers had published, and 26 per cent more men than women in the "total" group had published.

Whatever the inaccuracies in the AALS data, there is no evidence to suggest that the error would not be distrubuted equally between the sexes. Thus it appears that there is more difference between the productivity levels of men and women in the "total" group of 1979-80 faculty than between the levels of men and women "new hires." The extent to which this finding is indicative of a pattern, as well as its implications, demands further investigation.

Three other criteria have been mentioned for academic advancement: quality of teaching, service to the institution, and service to the community. With respect to law teaching, there is no information on the importance of these criteria or the extent to which men and women differ in fulfilling them.

The preceding discussion of women law teachers at ABA-approved schools has indicated that women are being increasingly incorporated into law teaching. However, there are also indications that full integration has not been achieved. One important concern is the integration of women at "prestigious" law schools.

WOMEN AT "PRESTIGIOUS" LAW SCHOOLS

The distribution of women at "prestigious" law schools, compared to the distribution over the total population of law schools, is important in the consideration of the integration of women into law teaching. It may be asserted that these "prestigious" schools exert more influence over the legal profession than is indicated by the proportion of law schools they constitute. Furthermore, it has been suggested that "prestigious" schools provide greater opportunity for research (Gross, 1968). If women are not adequately represented at these institutions, that fact might partially explain differences between men's and women's productivity. Finally, it is important to look at the status of women at these "prestigious" schools because there are indications that women may not be incorporated well at the most "prestigious" institutions of higher education (Barnes, 1971; Ekstrom, 1979; Jolna, 1980; National Reserach Council, 1979; Remnick, 1979). Before a discussion of how "prestigious" schools may differ from other law schools in the integration of women, it is important to qualify the definition of "prestigious."

Caveats on Defining "Prestige"

While terms such as "prestigious" or "elite" law schools will be used in this section, it is important to note that neither the ABA nor the authors of this study necessarily agree with any of these definitions. In the Review of Legal Education (1979), the ABA wrote: "No rating of law schools beyond the simple statement of their accreditation status is attempted or advocated by the official organizations in legal education." The "prestige" issue must be addressed, however, because the concept has been used by researchers in investigations of law schools, as well as of other areas of higher education. Furthermore, some groups or individuals perceive these labels as accurate descriptions of law schools, and such an operational definition may affect women's integration into law teaching.

Several methods have been used for assessing prestige. Some researchers have focused on the Law School Admissions Test (LSAT) scores; higher median scores of the entering students have been thought to indicate higher status (Fossum, forthcoming; Warkov and Zelan, 1965). Other people have ranked schools by conducting opinion surveys (Juris Doctor, 1976) or by resource level (Kelso, 1975). It appears that some schools are identified as "prestigious" by almost any measure. When discussing an individual study, this report will use that study's definition.

The Data on Women at "Prestigious" Law Schools

The studies focusing on the status of women at "prestigious" schools have attempted to determine to what extent women are integrated at these schools (Weisberg, 1979; Fossum, forthcoming).

In her original study published in 1979, Weisberg defined the "top 10" schools according to a 1976 Juris Doctor survey of 58 law school deans and 1,300 reader perceptions of law school prestige. Weisberg examined RLE statistics on the number of full-time women faculty at those schools. It is important to note that, since the number of women at each of these schools is relatively small, a change of one women's status could significantly affect the percentage of women at one school. As shown in Table 1.13, in the last six years, nine of these schools were lower than the national average in terms of percentages of women on their full-time faculties. Figure 1.1 shows that if that one school were excluded, there would be an even greater difference between the "top 10" average and the national average. It appears that women have not been integrated into the "prestigious" schools as they have been in the total population of law schools.

Fossum (forthcoming) also dealt with the status of the schools at which women held tenure-track positions in 1975-76. She confined her analysis to individuals in the two most recent cohorts. Fossum's focus was different from Weisberg's in that she attempted to determine what "qualifications" were the best predictors of the elitness of the schools at which individuals taught. She used the entering class median LSAT score as the best single indication of eliteness. She found that the three best predictors of eliteness were (in decreasing predictive strength): 1) "producer" status of law school of origin, 2) "academic honors" (law review or Coif membership), and 3) "early career experiences" (defined here as time lapsed since JD and including experience in clerking, private practice, and "nontenure-track" teaching). She also found that information about LLM degrees had little predictive strength. Thus any difference between men's and women's LLM background should not, according to this finding, explain differences in the status of the schools at which they taught. People with JDs from "producer" schools but without academic honors taught at more "elite" schools than did those teachers with JDs from "other" schools with academic honors. As Table 1.4 shows, the men and women were virtually identical in the three best predictors. Furthermore, the table shows that the median LSAT of the school at which the individuals taught was not significantly different for the men and the women. A superficial interpretation of Fossum's finding would be that the same percentage of men and of women would be at the "high status" schools. Yet, according to Weisberg's definition of "top 10" and RLE statistics for 1975-76, only 7.2 percent of the women (23 out of 319), but 11.5 percent of the men (376 out of 3,265), taught at the top 10.

Analyses of men and women at the "producer" schools for 1975 and 1979 suggested a similar pattern of women as less represented than men. All of Weisberg's "top 10" are "producer" schools. In 1975, 2.5 percent of the women (8 out of 319) and 5.9 percent of the men (193 out of 3,265) taught at the top five "producer" schools. Approximately 16 percent of the women (52 out of 319) and 20 percent of the men (669 out of 3,265) taught at the remaining 15 "producer" schools. In 1979, 2.8 percent of the women (14 out of 498) and 4.9 percent of the men (180 out of 3,648) taught at the top five. In the remaining 15 "producer" schools were 13.5 percent of the women (67 out of 498) and 18 percent of the men (658 out of 3,648). This analysis suggests that women are less represented than men in the "producer" schools.

Conclusions from Fossum's study and the RLE initially appear somewhat contradictory. While Weisberg's data for 1975 indicate that women are less represented at the "elite schools" than are men, Fossum suggested that they are not. Some of the differences may be explained by the fact that the two studies have different definitions of "full-time" faculty and "elite" schools. More important is the difference in the methodological approaches which may affect conclusions. In subsequent discussions, Fossum explained that it cannot be assumed from her data that an equal percentage of men and women teach at the "prestige" schools, since her unit of analysis was the individual teacher, not the law school. The extent to which this explanation resolves the apparent contradictions demands further analysis.

Regardless of that definition, the RLE data show that women are underrepresented at the "top 10" or at "producer" schools in comparison with the national figures.

THE PROBLEMS OF THE DEFINITION OF "POOL"

The preceding discussion has revealed some potential areas of concern for those interested in the adequate representation of women on law school faculties. The data have revealed some discrepancies between men and women law faculty members in both their "status" and their "qualifications." It is therefore important to determine whether, given the "pool" of "qualified candidates," women are sufficiently represented. Defining the "pool" is vital for assessing equity since, as the National Research Council wrote:

> Any discrepancy between the percentage of women or minorities qualified by training and experience to hold a given type of position and the percentage actually employed has been taken to be legal evidence of discrimination, [whether the discrepancy is] purposeful or not (1979).

There are several possible "pools" for law teaching candidates: law school graduates, practicing attorneys, and law teaching "applicants," each of which will be discussed in the following sections.

Law School Graduates "Pool"

The population of those who have received JDs identifies the largest possible pool of those qualified to teach law. While the number of "eligible" men and women law school graduates may initially seem easy to determine, it is not for several reasons: 1) there are several types of "law student" statistics, 2) there may be a "time lag" problem, and 3) not all law school graduates are potential teachers.

Statistics

Two sources of data on law students provide a basis for the definition of the pool of graduates. The ABA keeps statistics for each school on numbers of men and women enrolled in each class, total enrollments for each academic year, and degrees awarded. The National Center for Educational Studies (NCES) has statistics on first-year enrollments, total enrollment, and degrees awarded. It may be important for assessing the validity of law student data to compare the ABA and NCES corresponding figures. This discussion refers only to the ABA statistics.

The "degrees conferred" statistic is the more appropriate of the two ABA statistics (JD conferred and total enrollments) for the pool of potential law teachers, since a JD degree is a prerequisite. However, the "total enrollment" figures since 1963-64 are more readily available than are those concerning the degrees conferred. The former is reported in a table in each Review of Legal Education, while the latter must be collected by consulting each individual year. Generalizations about the "pool" may be more likely to be made, therefore, from the total enrollment figures.

Yet Table 1.14 shows that the two yield different percentages of women. The appropriate statistic to use is the "degrees conferred" number.

Time lag

A second important question is the year (or group of years) which should be examined to determine the pool. It has been asserted that law teaching is usually a career option after time in practice, not directly after graduation. If this were true, it might be inaccurate for "pool" definition purposes to compare the statistics on "degree conferred" in one year with "new hires" in the next year. It is difficult, however, to estimate the number of years to include in the "time lag" between degree conferred and law teaching "readiness." In Fossum's study (forthcoming) of 1975-76 law teachers, the mean years of "career experience" (which Fossum defined as time lapsed since JD) differed by cohort. The latest cohort averaged three years, and the earliest 14 years. According to the AALS data, almost half of the 1979-80 teachers just hired had no non-teaching experience (Table 1.7). Thus it is not clear what the appropriate "time lag" is for determining the "pool."

This apparent problem of "time lag" definition becomes unimportant in assessing the representation of women on the basis of the RLE and AALS statistics; even when no time lag is assumed, women appear to be proportionately represented. For example, Table 1.14 shows that at the end of 1978-79, approximately 28 percent of JD recipients were women. The AALS "new hires" statistics provided for this study revealed that, in the following year, 29 percent (187 out of 640) of the new hires were women essentially the same percentage as the graduates.

Thus time lag may not be an issue for "pool" definition for sex equity purposes if the percentage of JD recipients who are women continue to be less than the percentage of "new hires" who are women for any particular year. It is important to recall, however, that AALS data have tended to report greater proportions of women than have the RLE. Furthermore, there is no indication of the proportion of these "new hires" that are "opportunity" positions. There is also no indication of the status of the hiring schools. These factors must be determined before it can be assumed that the representation of women has been adequately assessed.

Fossum's data support the view that the number of women being hired is representative of the pool. When she compared the 1975-76 law teaching men and women by year of degree, a slightly greater percentage of women than of men in each class went into law teaching (Table 1.15). One problem with this analysis, however, is that the number of women is only an estimate, and thus any conclusions about representativness must be tentative.

Criteria

Even after the two previous problems are resolved (i.e., the statistical and time lag issues), a third difficult question must be anwered regarding the criteria of potential law teachers. Not everyone with a JD is a potential teacher. In light of Fossum's preliminary information, a law degree from one of the "producer" schools is practically a prerequisite for teaching. Thus it would be important to determine for each "producer" school the percent of men and women attending. It would then be important to identify those men and women graduates in the top 10 percent with academic honors. These statistics might more accurately define the "pool" accoridng to current criteria for law teaching.

While all this information is not readily available, Table 1.16 indicates that a growing proportion of people receiving JDs from the top five "producer" schools are women. The percentage increased from 21 in 1976 to 27 in 1979. In actual numbers, the increase was from approximately 300 to 400.

An examination of all "producer" schools shows an even greater increase in percentage of women (21 percent in 1976 to 30 percent in 1979). If women at these schools are as likely as their male counterparts to pursue law teaching and to have academic honors, about 30 percent of the "new hires" for 1980-81 should be women.

Practicing Lawyers "Pool"

Statistics about women in the legal profession may help to define the pool of potential law teachers. They may also help determine the extent to which women in law teaching encounter special benefits or problems in law teaching that they do not encounter in other areas of the legal profession. Comparison of the percentages of practicing attorneys who are women with the percentage of women law teachers sheds light on how the incorporation may be different for the two groups.

Tables 1.1 and 1.17 provide a close approximation of this. These tables reveal, for example, that in 1979, women constituted 12.8 percent of the practicing lawyers, compared to 10.8 percent of the law teachers. In 1973, women constituted 5.8 percent of practicing lawyers, compared to 6.9 percent of the law teachers (1973-74). It is important to keep in mind that the number of practicing lawyers is much greater than the number of law teachers. Thus each woman entering law teaching has a greater impact statistically on overall percentages than does the woman in law generally. It may be more accurate, therefore, to compare this percentage of "new" attorneys who are women with percentage of "new" law teachers. These data, however, are not readily available.

Another parallel that has been made is that between parterships in the legal profession and tenure in law teaching (Epstein, 1980). There are, however, no conclusive data as to the average time it takes to become a partner, compared to the average time it takes to become tenured, nor have such comparisons been made by sex. (For data on partnerships and women, see also Baird, 1978, and Grossblat and Sikes, 1973.)

It is common wisdom that some practical experience in the legal world is a qualification of law teaching. Thus it may be argued that the "pool" of qualified law teacher candidates is not that of the most recent JDs, but that group of attorneys who have practiced for a certain amount of time. This "common wisdom," however, may be somewhat inaccurate in that it may overemphasize the role of practice as a prerequisite for law teaching. Both the AALS data (Table 1.6 and 1.7) and Fossum's data (Table 1.8) reveal that, while practice may be an additional qualification, it does not seem to be a prerequisite. Furthermore, using "practicing lawyers" as the pool for law teachers is problematic since the amount of time in practice and the type of practice appropriate for law teaching are unclear.

Faculty Applicant "Pool"

Another way to look at "pool" statistics is by comparing the percentage of "applicants" for law teaching positions who are women with the percentage of "new hires" who are women. This approach assumes that the successful "applicants" for one year are employed the next year. For example, someone "applying" in winter of the 1979-80, if hired, would be hired for the 1980-81 year.

There are at least two problems with this approach. First, it is difficult to define precisely who the "applicants" are, since the application process is not necessarily formalized or consistent across schools. Perhaps the most "formal" process is through AALS. According to AALS figures provided for this study, there were approximately 294 individuals registered for the AALS Law Teachers Recruitment Conference in 1978. Of these, 155 (or 53 percent of the registrants) obtained law teaching jobs for 1979-80. When compared with the AALS "new hires" statistics, it is revealed that only 24 percent of the new hires (155 of 640) were registered at the Conference. Thus about 75 percent of those hired for 1979-80 had not attended the Recuritment Conference.

The second problem concerns the AALS Register, which is distributed to law schools for faculty recruitment purposes. While it is the closest approximation of a "formal" application process (i.e., it involves interested individuals submitting their resumes for inclusion), the extent to which individuals included in the AALS Register and the Recruitment Conference are representative of the total "applicant" pool is not clear.

With these caveats in mind, Table 1.18 indicates that the percentage of women applicants is increasing. Furthermore, the percentage of "new hires" for 1979-80 (Table 1.7) who are women exceeds even this percentage. While women constituted 17 percent of the AALS Register in 1978, they constituted 29 percent of the "new hires" for 1979-80 (187 women of 640 "new hires").

One trend which cannot be explained by "pool" alone is the percentage increase of women from one year to the next. While the pool by almost any definition is increasing at a relatively rapid pace, Table 1.13 shows that the national average of the percentage of law teachers who are women is not progressing at a consistent pace. For example, the increase from 1974 to 1975 was 1.7 percent, but there was only 0.2 percent absolute increase between 1977 and 1978. Explanations for this require further investigation.

It should be clear at this point that the definition of faculty applicant "pool" is problematic. The analysis based on available data suggests that women are represented in proportion to the "pool" in the general ranks of law schools. Yet this discussion has attempted to show that this superficial analysis may be extremely misleading because of the statistical and definitional ambiguities, especially those based on RLE and AALS data. Further study is also required to determine more precisely the definition of "pool" in law teaching before sound conclusions can be drawn concerning the representation of women.

ADDITIONAL FACTORS RELATED TO THE INTEGRATION OF WOMEN ON LAW FACULTIES

The status of women on law faculties may be affected by a number of different factors. This section identifies those which may influence the integration of women into law teaching differently from the way they may affect that of men. Both institutional characteristics and individual needs and desires are included in this discussion.

Institutional Characteristics

The following institutional characteristics may affect men's and women's integration differently: 1) affirmative action policies, 2) provisions for child-care responsibilities, 3) anti-nepotism policies, 4) women-in-law organizations and courses, 5) critical mass, 6) opportunity, 7) geographical location, and 8) other institutional characteristics.

Affirmative Action Policies

Institutional policies and practices may affect women in both direct and indirect ways. On the most direct level are affirmative action policies about faculty employment. Bysiewicz's study (1973a) reported that 57 of 81 law schools in the sample had an affirmative action program to seek qualified female faculty, administrators, and other personnel. Several schools without such affrirmative action programs stated that females would receive special consideration for openings. The definition of "special consideration," however, was not discussed. It was not clear, for instance, to what extent "special consideration" meant any of the following: standards would be lowered for women, different standards would be applied, or that women who were "just as qualified" as men would be offered positions in preference to the men. A more recent analysis of law schools' affirmative action policies with respect to women faculty is not readily available. Appendix 1.2 is a summary of laws relating to affirmative action (see bibliography for other sources on legal remedies concerning affirmative action).

A second area that may affect men and women differently concerns provision for child-care responsibilities. There are, however, no readily available data on the percentage of men and women law teachers who have child-care responsibilities. More specifically, this would include child-rearing leave, reduced teaching load, and child-care facilities. An institution's ability to take into account parenting responsibilities may be a factor in the decision to teach at a particular law school. Furthermore, the fact that women have traditionally borne more child-care responsibilities than have men suggests that they may be affected differently than are men by institutional policies concerning this issue.

Studies addressing institutional policies about family responsibilities are not common. There are, however, some statistics relevant to higher educational institutions generally and others pertaining to law schools specifically. A recent study conducted by the American Association of University Women found that 86 percent of colleges granted child-bearing leave, but the proportion of schools providing fringe benefits during the leave had decreased since 1970 (Bernay, 1978). The study also revealed that only 17 percent of the schools made child-rearing leave available to men as well as women. In an earlier study concerning only law schools, Bysiewicz (1973) reported that most schools that responded to this question granted maternity leaves, but half of the 48 schools answering the question would not grant faculty paternity leaves. The article did not report the type of fringe benefits available and conditions for receiving them during the leave.

There is not extensive information on the status of academic institutions' child-care facilities. Bysiewicz indicated that one school reported they had a day-care center which faculty children could use, while 30 percent of the universities had facilities which were available to law school faculty. Nineteen schools reported requests for day-care centers. Bysiewicz (1973) wrote:

> The response to these requests in most cases was negative; lack of funds or space and not enough need to justify sucb a facility were given as reasons. At a few schools, such requests were referred to committees for study and recommendations. Only three schools plan to establish a day care center or to affiliate with one at the university.

This information pertaining to 1972-73 has not been updated and therefore may not represent the current child-care facilities available at law schools. Indeed, schools may be providing more child-care facilities in light of a recent court decision allowing women to sue higher eductional institutions for refusing to provide such facilities (Women can sue for child care facilities, 1979).

Since there is a time limit for tenure consideration, the treatment of child-rearing leave in the tenure process becomes important. If a woman takes a year's maternity leave and subsequently returns on a part-time basis, it is important whether this time is included as part of the normal tenure time. Weisberg (1979) noted that such a suggestion was recently proposed at Hastings College of Law. She wrote:

> Although tenure was usually granted after 5 years of full-time teaching on this faculty, an "extraordinary circumstances" exception to the general rule existed, which stated: "Except in extraordinary circumstances, nontenured faculty members shall have completed 5 years or more of full-time teaching at an accredited law school to be eligible for tenure....Under normal circumstances the final evaluation process leading to granting of tenure should be completed during the teacher's fifth year of full-time teaching . . ." Hastings College of the Law, Procedures and Standards for Appointment, Rank and Tenure Section II(C)(3)(II)(b). However, to take into account problems of women professors, the following change was proposed: "...it is contemplated that a member of the tenure-potential faculty who has been teaching for 6 years but some of these were only half-time could be eligible for promotion and tenure consideration under the extraordinary circumstances exception. Section II(C)(3)(II)(b)

Some schools also grant part-time appointments for teachers with child-care responsibilities. While Bysiewicz (1973 a) reported that 15 schools in her study provide such appointments for this reason, she did not indicate whether these appointments were available to men and women faculty.

It appears, therefore, that a law school's institutional policies about the conditions under which child-rearing leave is available (e.g. eligibility and fringe benefits) could affect a woman law teacher's decision to affiliate herself with a law school if she has (or intends to have) children.

Anti-nepotism Policies

"Anti-nepotism" rules prohibiting employment of faculty spouses may affect women's decision to seek employeemnt at certain institutions. Bysiewicz (1973 a) addressed this issue in her study. She reported:

> Thirty-four percent of the schools have some kind of "nepotism" rules or policies (written or unwritten) that would restrict employment of husbands or wives with the university or within the same department. A few schools reported unwritten policies or "a generally negative attitude" toward the hiring of a faculty member's spouse.

Bysiewicz (1973 a) found in her study that 10 percent of the schools had a married couple on the faculty.

Women-in-Law Organizations and Courses

Recognition of women-in-law activities by an institution may indicate that a law school considers the special problems women face in the legal profession important. According to Bysiewicz (1973 a), 70 percent of the schools in 1972-73 had "active" associations of women law students.

Courses on women in the law may also be an indication that the school is concerned with the treatment of women by the law and therefore is concerned with the treatment of its own employees. No recently published data could be found on the number of such courses offered. There is, however, available information which might provide tentative conclusions.

Teachers listed in the AALS Directory's "List of Law Teachers by Subject" for "Women and the Law" for 1974 and 1979 academic years were tabulated. The number of schools they represented was also tabulated. While this sample may not be representative, in that many schools may offer these subjects but may not have a specific individual listed in this category, it does provide a rough estimate. In 1974, of the 158 ABA-approved schools, approximately 63 schools (or 40 percent) had faculty who were listed under Women and the Law. In 1979, 70 schools had such courses (41 percent of 170 schools).

Critical Mass

It has been suggested that the proportion of any subgroup to a larger group may affect that subgroup's behavior (Kanter, 1977 a and b). Under Kanter's hypothesis, when the proportion is particularly small (approximately 85:15), the subgroup individuals, whom she labels as "tokens" (women in this instance), are subject to several problems. First, the visibility of "tokens" generates performance pressure. Tokens may respond to this by trying to become "invisible," for example, by speaking less in class (Ashburn, 1977; Jacobs, 1972; Kanter, 1977; Robert and Winter, 1978; Spangler et al., (1978).

Second, "polarization" may occur: any differences between "token" and "dominant" individuals become exaggerated (Kanter, 1977; Jacobs, 1972). A result of this polarization is that tokens may find it harder to gain credibility. Indeed, if women are perceived as less competent, it is possible the result may be reduced competency; if students create more obstacles for women teachers than for men teachers, women may fail to overcome these additional barriers.

Institutions without a "critical mass" may perpetuate behavior in women which has been described as "the queen bee" syndrome. Reviewing the literature, Ashburn (1977) described these women as those with both "professional" and "social" successes in a male-dominated field, who tend to identify with male colleagues; they may be "aloof, individualistic and even hostile" toward other women. Furthermore, the majority of them believe that women have only themselves to blame for not doing better in life (Ferber and Loeb, 1973; Safilios-Rothschild, 1979). These attitudes may prohibit support for other women just entering a male-dominated profession.

Still another way that "critical mass" may affect women's performance is that a "token" may face more time demands. Some people have speculated that "token" women may have more committee assignments and spend more informal time with students, especially women students, than is the case for their male colleagues (Crawford, 1978; Ekstrom, 1979). As discussed below, several people have focused on the importance of women having role models for their integration into male-dominated professions. Acting as role model for women students may also place excessive time demands on women faculty.

Kanter also hypothesized that "assimilation" may occur where a token's attributes may be distorted to fit pre-existing generalizations about their type (1977 b). For example, "dominants" may cast a woman as "typically female" if she exhibits a stereotypically female behavior. This typing may occur even if she behaves in this manner no more than do her male counterparts. This "role entrapment" may lead to women refraining from such behaviors (e.g., women expressing emotions). This inhibition of self expression may cause greater personal stress which could, in turn, affect performance (Kanter, 1977 b).

There are also studies speaking to the issue of men and women with similar characteristics being evaluated differently on their professional competence on the basis of their sex (e.g., Cohen and Bunker, 1975; Deaux and Emswiller, 1974; Dipboye, et al., 1977; Feldman-Summers and Kiesler, 1974; McKee, 1957; Mischel, 1974; Muchinsky and Harris, 1977).

Finally, there is evidence that men and women express their aspirations, expectations, and aggressions differently in groups with different sex ratios. The male-dominated goups tend to be more aggressive and less personal (Weisberg, 1979; Safilios-Rothchild, 1979; Aries, 1974; Miller, 1977; Lipman-Blumen, 1973). Spangler, et al., (1978) attempted to test Kanter's hypothesis that tokens' achievements are diminished. They reported:

> Using data on male and female achievements at law schools with significantly different sex rations, we find evidence that performance pressure, social isolation, and role entrapment all operate to diminish the achievements of women law students where they are only a small minority of the student body.

In sum, Kanter concluded that "organizational, social, and personal ambivalence surrounds people in token situations" (1977 a).

Opportunity

Kanter (1977 a) also discussed the importance of "opportunity" as it may relate to the integration of women into a male-dominated field:

> Opportunity refers to expectations and future prospects. The structure of opportunity--of mobility, and growth--is determined by such matters as promotion rates from particular jobs, ladder steps associated with a position, the range and increase in skills and rewards, and, as a variable matter for each person, the individual's prospects relative to others of his or her age and seniority (in turn shaped in part by route into the job). On the basis of the differentiation of opportunity in complex organizations, we can hypothesize that: people low in opportunity would tend to . . . limit

> their aspirations, not hoping for mobility in general, not valuing more responsibility, more participation; have lower self-esteem, value their competence less than adequately;... but be less likely to protest directly or seek change; rather to channel grievances into griping or output restriction rather than direct action.

Kanter (as well as Kotker, 1980) posits that much stereotypically "feminine" behavior can be attributed to being in positions of low opportunity. Thus Kanter's conceptual framework seems appropriate in the analysis of the integration of women into law teaching in terms of critical mass and opportunity.

Geographical Location

Several studies suggest that the residence patterns of men and women academics are different. The general conclusions have been that women are concentrated in urban centers and that this concentration may be due in large part to their spouses' professional immobility (Kashket, 1974; Marwell, et al., 1979; Weisberg, 19799.

One explanation for the low number of women on some law school faculties has been that women have little interest in moving to a small town. The argument is that the spouses of the married women find the job opportunities inadequate, and that single professional women find few people with compatible lifestyles. These plausible explanations gave rise to an analysis of those schools employing two or fewer women, by geographic region and by city population.

The employment figures for this analysis were taken from the Review of Legal Education for 1979-80. The fact that visiting professors are included and professors on leave are excluded in these figures indicates that these numbers are in error to some degree; the extent of that error is unknown without further analysis. Nevertheless, these data shed light on the issue of population as it relates to women's employment on law faculties. The city population figures were obtained from the Census Bureau estimates of July 1, 1976.

In 1979, 50 percent (N=85) of the 170 ABA-approved law schools employed three or more women. Forty-five schools employed two women, 27 employed one women, and 13 had no women on their faculties.

Figure 1.2 shows the number and percentage of law schools which employed two or fewer women, by region. In six of the regions, at least half of the law schools employed two or fewer women. The South Central and Mountain regions had the highest percentages of schools with few women. The underlined numbers in each region indicate the number of law schools in high population areas which employed two or fewer women. In other words, these are the schools that cannot readily attribute the low number of women on their faculties to the low population. In the Southeast and Mountain regions, there were no schools with two or fewer women in high population areas. In four regions (West, Soutwest, Midwest, and South Central), one half or more of the schools with two or fewer women were in high population areas.

When the number of schools by city population was examined, the regional differences lessened in importance. Table 1.19 presents the schools employing two or fewer women by city populations and region.

Table 1.20 shows the number of schools in each population category and divides them according to whether they had none, one, or two women. The majority of those schools which employed no women (eight out of 13) were in areas that had fewer than 125,000 people. It would be expected that the schools employing no women would decrease as the population increased. And, in fact, this was the case. Only two schools in population areas greater than 250,000 employed no women.

This pattern, however, did not hold for those schools employing one or two women. Thirty-three percent of the schools (nine out of 27) with one woman faculty member and 44 percent with two women (20 out of 45) were in population areas greater than 250,000. Thus small area population does not appear wholly tenable as an explanation for employing few women. Thirty-one of the 85 ABA-approved law schools which employed two or fewer women cannot attribute the low number of women on their faculties to the area's population, if it can be assumed that a quarter of million people is sufficient to provide adequate professional and lifestyle opportunities. Four of these 32 schools are "producer" schools.

These geographical analyses therefore call into question the notion that geographical location largely explains the small number of women at many law schools.

Other Institutional Characteristics

Some researchers have indicated that institutional prestige and size are important factors affecting individual desire to affiliate with particular institutions. Esktrom (1979) concluded that "evidence suggests that academic women have been more likely than equally able men to seek jobs in the less-prestigious institutions, in the lower ranks, or in marginal types of employment."

There are also studies suggesting that an institution's size may affect several important variables: its decisionmaking policies and practices, the degree and type of personal interaction among personnel, and institutional goals (e.g., Blau et al., 1979; Gross, 1968; Miller, 1979). If men and women have different needs and desires in terms of those factors which are interrelated with size, an institution's size may be a factor influencing women's decision to be employed at certain institutions.

Individual Characteristics

Institutional characteristics are related to individual characteristics; an individual's needs and desires may draw him or her to institutions with certain characteristics. These institutional characteristics have been discussed because women's needs and preferences may differ from men's concerning those institutional attributes. Data have also indicated that men and women may differ in other attributes which may explain their differential integration. Among these are: 1) professional motivation, 2) subject specialty, and 3) demographic characteristics, and 4) need for personal interaction.

Professional Motivation: Aspirations, Expectations, and Commitment

The previous discussion touched upon issues where there may be sex differences in preferences. It is also important to note that the literature has suggested that men and women may have different levels of professional aspirations, expectation, and commitment (Ashburn, 1977; Bernard, 1964; Epstein, 1970; Jacobs, 1972; Jason, et al., 1975; Robert and Winter, 1978; White, 1967). Most of these suggest that women aspire to lower levels, expect less, and are less committed than are men.

Subject Specialty

There have also been studies (as noted earlier) showing that women in the legal profession have different subject specialties, that women in law teaching may not "specialize" as much as men (Fossum, forthcoming). The extent to which men and women law teachers have different specialties demands further investigation.

Demographic Characteristics

An individual's age and race are important factors affecting integration. Both Fossum and AALS provide data on these factors.

Only the AALS data provided information on the ages of law teachers. Table 1.21 shows that, among the total group teaching in 1979-80, women tended to be younger than men. Seventy-two percent of the women were under 40, while only 41 percent of the men were. For individuals hired for 1979-80, the same trend occurred (Table 1.22). The major difference between the "new hires" and the "total" group was, not surprisingly, that among the "new hires," 68 percent of the women were 34 or under, and only 50 percent of the men were.

Both Fossum and AALS provided minority data. "Minority" included: American Indians, American Asians, blacks, Puerto Ricans, and other Hispanics. Fossum's analyses for this study revealed that approximately seven percent of the women (18 out of 25) and four percent of the men (143 out of 3,436) were minorities. Of the 187 newly hired women, 15 (about eight percent) were minorities. Of the 453 new men, 16 (about 3.5 percent) were minorities. The percentage of minority men, however, is greater in the "total" than in the "newly hired" group. Of the 5,221 men, 228 (or 4.4 percent) were minorities. These figures suggest that a greater percentage of the women than the men were minorities and that the difference between the percentages may be increasing. It is important to note, however, that the numbers are small. Further investigation is required to determine the extent and the implications of this difference.

Personal Interaction: Role Models, Mentors, Sponsors, and Networks

The proportion and integration of women seems deeply meshed with certain types of interaction with colleagues. Many sources have discussed the importance of role models (e.g., Ashburn, 1977; Ekstrom, 1979; McDonald, 1979; Perrucci, 1974; Safilios-Rothschild, 1979) and mentors (e.g., Levinson, 1978) for individuals' integration into a profession.

The term "mentor" has been used in different ways. This report uses it as does Levinson, et al. (1978). The term connotes something more than general intellectual instruction: someone, for instance, who is a teacher, host, guide, counselor, exemplar. "Sponsor" refers to people who may be helpful to an individual in ways similar to a mentor, although the personal and professional commitment is somewhat less. "Networking" refers to a system of professional connections whose members engage in mutual giving and receiving of assistance in matters concerning professional advancement. Many sources have indicated that women fare worse in terms of mentoring, sponsoring, and networking than do men (e.g., Levinson, et al., 1978; Epstein, 1970; McDonald, 1979). Kanter theorizes that women's token status may be reinforced by having a sponsor from the dominant group (1977 a).

* * * * *

It is hoped that this introductory chapter not only has helped reduce inaccuracies in making conclusions from currently available data, but also may spark some models for analyzing equity in higher education. While this would be a welcome benefit, the primary purpose of this chapter has been to provide the necessary framework within which to present this study's data.

SUMMARY OF MAJOR FINDINGS

A review of the literature on women in law teaching and an analysis of available data revealed the following:

- The currently available data sources on women in law teaching yield inconsistent information about the representation of women in law teaching.

- Data sources do not accurately reflect the actual numbers of women in tenure-track positions.

- On those qualifications traditionally considered important in law teaching, women and men faculty members are similar.

- The percentage at each of the three ranks (assistant, associate, and full professor) who are women increased from 1975 to 1979.

- From 1973 to 1979, the percentage of fulltime teachers who were women increased from 6.9 percent to 12 percent. The number of law schools employing women is also increasing.

- Women are found most often at the assistant professor level; men are found most often at the full professor rank.

- The following are areas where the data base is either weak or nonexistent with respect to sex differences in law teaching: 1) tenure and tenure-track status, 2) promotion and tenure rates, 3) salary, 4) productivity 5) different activities within the teaching environment (e.g., course load, administrative activities).

- In the last six years, nine of the "top 10" schools reported percentages less than the national average of faculty who were women.

- In 1975, seven percent of the women teachers but 11 percent of the men teachers taught at the "top 10" schools.

- In 1979, 2.8 percent of the women and 4.9 percent of the men taught at the top five "producer" schools; 13.5 percent of the women and 18 percent of the men taught at the remaining 15 "producer" schools.

- Women constituted approximately a third of the JD graduates in 1978-79 and a third of the "new hires" on law faculties in 1979.

- In 1979, 12.8 percent of practicing attorneys were women, compared to 11.3 percent of law teachers who were women.

- The AALS and RLE reports of the number of full-time women may be inflated.

- While the percentage of practicing lawyers who are women rose seven percentage points from 1973 (5.8 percent) to 1979 (12.8 percent), the percentage of law teachers who were women in comparable years rose 4.4 percent (6.9 percent in 1972-73, and 11.3 percent in 1978-79).

- In six out of nine regions in the United States half of the law schools in 1979 employed two or fewer women.

- 31 Schools employing two or fewer women were in cities with populations over 250,000 (four of these were "producer" schools).

Table 1.1

Number and Percentage of Full-time Law Faculty Who are Women, 1973-1979

Year	Total N	N Women	% Women
1979-80	4,146	498	12.0%
1978-79	3,957	429	10.8%
1977-78	3,875	411	10.6%
1976-77	3,702	335	9.1%
1975-76	3,584	319	8.9%
1974-75	3,218	234	7.3%
1973-74	3,643	253	6.9%

Note: Numbers taken from Review of Legal Education. Data on number of women were not compiled prior to 1973-74.

Table 1.2

Number and Percentage of Deans and Administrators in Law Teaching Who are Women, 1976-1979

Year	Total N	N Women	% Women
1979-80	465	96	20.7%
1978-79	337	33	9.8%
1977-78	344	32	9.3%
1976-77	485	97	20.0%

Note: Data compiled from the Review of Legal Education; the figures were not reported by sex prior to 1976-77.

Table 1.3

Number and Percentage of Law Teachers in 1975-76 Who were Graduates of "Producer" Schools

School where JD Degree Conferred	N	%
Harvard	524	13.9%
Yale	258	6.8%
Columbia	164	4.3%
Michigan	156	4.1%
Chicago	153	4.0%
NYU	108	2.9%
Georgetown	83	2.2%
Texas	81	2.1%
Virginia	80	2.1%
Berkeley	70	1.9%
Pennsylvania	65	1.7%
Wisconsin	63	1.7%
Northwestern	62	1.6%
Stanford	57	1.5%
Iowa	56	1.5%
Illinois	54	1.4%
Minnesota	53	1.4%
Cornell	51	1.3%
Duke	45	1.2%
George Washington	45	1.2%
All other Law schools	1,552	41.1%
TOTAL	3,780	99.9%

Note: Table taken from Fossum (forthcoming) with permission. Information was missing on 70 teachers.

Table 1.4

Characteristics of Law Teachers in 1975-76,
by Sex and Cohort in which JD Received

	JD Degree Received 1956-65			JD Degree Received 1966-75		
	Men (N=1,165)	Women (N=67)	Sign. --	Men (N=1,150)	Women (N=176)	Sign. --
Demographic Characteristics:						
Age (Mean)	40	41	NS	32	32	NS
Years out of law school	15	15	NS	7	6	.001
Educational Credentials:						
JD from 20 "producer"	60%	60%	NS	57%	53%	NS
Academic honors	49%	42%	NS	51%	52%	NS
LLM degree	32%	24%	NS	25%	12%	.001
Early Career Experiences:						
Years engaged in (mean)	6	9	.001	3	3	NS
Clerked	18%	19%	NS	22%	22%	NS
Practiced law	71%	81%	NS	61%	61%	NS
Nontenure-track teaching	27%	40%	.05	22%	22%	NS
Tenure-Track Teaching Career:						
Years engaged in (Mean)	9	6	.001	4	3	.001
LSAT of law school teaching in 1975-76	619	615	NS	603	607	NS
Academic rank:						
professor	77%	42%	.001	16%	7%	.001
associate professor	19%	36%	.001	41%	29%	.001
assistant professor	4%	22%	.001	43%	64%	.001

Note: Table taken from Fossum (forthcoming) with permission. "Academic honors" refer to Coif or law review membership. "Year engaged early career experiences" refer to lasped time since JD awarded.

Table 1.5

Academic Honors of Law Teachers in 1975-1976, by Sex

Academic Honor	Men (N=3,579)		Women (N=271)	
	N	%	N	%
Editor-in-chief of primary review	336	9.4%	14	5.2%
Member of primary law review other than editor-in-chief	986	27.5%	84	31.0%
Not on law review but member of Coif	304	8.5%	29	10.7%
Member of secondary law review	76	2.1%	4	1.5%
No academic honors	1,877	52.4%	140	51.7%

$X^2=7.97$; df=4, p=NS

Note: Data from ABF study of law professors conducted by Fossum.

80

Table 1.6

Percentage of "Total" Full-time Law Teachers in 1979-80,
by Teaching Qualification and by Sex

Qualification	% Men (N=4,514)	% Women (N=707)
Academic Experience:		
Law review	47%	40%
Coif	17%	9%
Professional Experience:		
Private practice only:		
1-2 years	10%	11%
3-5 years	11%	10%
6-10 years	7%	4%
11-15 years	2%	1%
over 15 years	2%	1%
Federal government only:		
1-2 years	6%	7%
3-5 years	3%	2%
over 6 years	2%	0%
State government only:		
1-2 years	3%	6%
3-5 years	2%	3%
over 6 years	2%	1%
Any combination of above 3:		
1-2 years	2%	1%
3-5 years	10%	10%
6-10 years	8%	8%
11-15 years	3%	2%
over 15 years	4%	2%
No Nonteaching:	25%	32%
Publications:		
No publications	61%	84%
At least one publication	39%	16%
Other Academic Experience:		
LLM	26%	12%
SJD	3%	0%
Learned Societies (Besides Coif)	54%	45%

Note: Numbers provided by AALS. "Publication" refers only to separately published works. It does not refer to law review articles.

Table 1.7

Percentage of "New" Full-time Law Teachers in 1979-80, by Teaching Qualification and by Sex

Qualification	% Men (N=453)	% Women (N=187)
Academic Experience:		
Law review	32%	27%
Coif	4%	2%
Professional Experience:		
Private practice only:		
1-2 years	7%	8%
3-5 years	8%	10%
6-10 years	5%	3%
11-15 years	1%	1%
over 15 years	3%	1%
Federal government only:		
1-2 years	4%	3%
3-5 years	2%	3%
over 5 years	1%	0%
State government only:		
1-2 years	3%	4%
3-5 years	2%	3%
6-10 years	2%	2%
over 10 years	1%	0%
Any combination of above 3:		
1-2 years	2%	1%
3-5 years	8%	10%
6-10 years	6%	5%
11-15 years	2%	1%
over 15 years	4%	0%
No Nonteaching:	40%	47%
Publications:		
No publications	87%	93%
At least one publication	13%	7%
Other Academic Experience:		
LLM	14%	6%
SJD	0%	0%
Learned Societies (Beside Coif)	30%	25%

Note: Numbers provided by AALS. "Publications" refers only to separately published works. It does not refer to law review articles.

Table 1.8

Early Career Experiences of Men and Women Teaching in 1975-76 who Received their Degrees Between 1956 and 1975

Experience	Men (N=2,315) N	Men (N=2,315) %	Women (N=243) N	Women (N=243) %
Direct to Tenure-track teaching	142	6%	17	7%
Clerked for judge only	130	6%	20	8%
Taught in nontenure-track position only	187	8%	19	8%
Practiced law only	956	41%	105	43%
Clerked and taught nontenure-track	41	2%	7	3%
Clerked and practiced	244	11%	18	7%
Taught nontenure-track and practiced	288	12%	32	13%
Clerked, taught nontenure-track and practiced	43	2%	7	3%
Other	284	12%	18	7%

$X^2=12.26$, df=8, p=NS

Note: Data from ABF study of law professors conducted by D. Fossum. "Early career experiences" refers to time lapsed since JD. "Practice" includes private practice, legal and public defender, government and house counsel. Between one third and one of individuals in the "other" category started an LLM program immediately after graduation and then went directly into teaching.

Table 1.9

Number and Percentage of 1975-76 Teachers, by Sex and Number of Years in Tenure-track Teaching

	Men (N=3,579)		Women (N=271)	
Years in Tenure-track Teaching	N	%	N	%
1-2	471	13%	115	42%
3-4	553	16%	81	30%
5-6	441	12%	33	12%
7-8	349	10%	10	4%
9-10	326	9%	8	3%
11 or more	1,439	40%	24	9%

Note: Table extracted from Fossum (forthcoming). See text for Fossum's definition of "tenure-track."

Table 1.10

Number and Percentage of Law Schools by Category of Number of Women on Full-time Faculty, 1974-75 and 1979-80

Law Schools by Number of Women Full-time Faculty	1974 (N=163)		1979 (N=170)	
	N	%	N	%
0 women	29	17.8%	13	7.6%
1 woman	51	31.3%	27	15.9%
2 women	43	26.4%	45	26.5%
3 women	22	13.5%	31	18.2%
4 women	11	6.7%	21	12.4%
5 or more women	7	4.3%	33	19.4%

Note: Based on data from the Review of Legal Education, as compiled by D.K. Weisberg. One school did not report data for 1974-75. The number of ABA-approved was 164 in 1974, 170 in 1979.

Table 1.11

Number and Percentage of Full-time Faculty Who are Women, by Rank 1975-76 and 1979-80

	Total N		N Women		% Women	
Rank	1975-76	1979-80	1975-76	1979-80	1975-76	1979-80
Full Professor	2,211	2,599	85	118	3.8%	4.5%
Associate Professor	849	921	90	153	10.6%	16.6%
Assistant Professor	694	663	135	186	19.5%	28.1%
Professor Emeriti	245	334	11	14	4.5%	4.2%
Visiting Professor	281	322	20	37	7.1%	11.5%
TOTAL	4,280	4,839	341	508	8.0%	10.5%

Note: Data for 1975-76 are from Weisberg (1979), who drew information from 150 of the 164 law school catalogues. Weisberg also compiled data for 1979-80 from 154 of the 170 law school catalogues.

Table 1.12

Number and Percentage of 1975-76 Law Teachers at Each Academic Rank, by Sex and Number of Years in Tenure-track Teaching

	Men (N=3,579)				Women (N=271)			
Number of Years in Tenure-track Teaching	N	% Prof.	% Assoc. Prof.	% Asst. Prof.	N	% Prof.	% Assoc. Prof.	% Asst. Prof.
1-2	471	12%	27%	61%	115	4%	23%	73%
3-4	553	17%	47%	36%	81	16%	35%	49%
5-6	441	45%	44%	11%	33	27%	58%	15%
7-8	349	73%	25%	1%	10	40%	60%	0
9-10	326	84%	16%	1%	8	75%	25%	0
11 or more	1,439	98%	2%	0	24	100%	0	0

Note: Table extracted from Fossum (forthcoming).

Table 1.13

Percentage of Full-time Faculty Who are Women in "Top 10" Law Schools, 1974-79

Law School	% in 1974-75	% in 1975-76	% in 1976-77	% in 1977-78	% in 1978-79	% in 1979-80	Increase in % 1974-1979
National Average	7.2%	8.9%	9.0%	10.6%	10.8%	12.0%	4.8%
Law School:							
Berkeley	2.5%	5.0%	7.3%	6.1%	6.9%	10.8%	8.3%
Chicago	0%	3.4%	0%	0%	0%	4.5%	4.5%
Columbia	2.3%	5.1%	5.0%	6.7%	4.7%	5.3%	3.0%
Harvard	2.0%	5.2%	5.7%	5.4%	6.7%	8.6%	6.6%
Michigan	0%	0%	6.4%	8.0%	7.5%	6.8%	6.8%
NYU	14.1%	15.5%	12.7%	24.6%	18.3%	20.3%	6.2%
Pennsylvania	7.1%	3.3%	4.0%	4.0%	4.0%	3.7%	-3.4%
Stanford	3.7%	3.2%	7.7%	3.8%	6.5%	9.4%	5.7%
Virginia	4.0%	5.1%	2.3%	5.6%	2.6%	4.3%	.3%
Yale	5.0%	5.9%	5.9%	8.7%	8.3%	9.4%	4.4%

Note: Based on data in the Review of Legal Education for the years 1974 through 1979, as compiled by D.K. Weisberg. None of the schools (with the exception of NYU and Georgetown) reported more than four women in 1974-75 or more than five women in 1979-80. "Top 10" refers to those used in Weisberg (1979).

Table 1.14

Number of Law Students Enrolled and Degrees Conferred, 1963-1979
(Percentage who are women)

	Enrollment		JDs Conferred		LLM Conferred	
Year	Total N	% Women	Total N	% Women	Total N	% Women
1979-80	122,860	31.4%	*	*	*	*
1978-79	121,606	30.3%	34,580	28.2%	1,356	14.4%
1977-78	118,557	27.5%	33,317	25.9%	1,852	12.2%
1976-77	117,451	25.5%	33,640	22.8%	1,213	11.7%
1975-76	116,991	22.9%	32,592	19.1%	1,245	7.4%
1974-75	110,713	19.7%	29,971	15.2%	1,108	7.2%
1973-74	106,102	15.8%	29,327	11.4%	939	5.2%
1972-73	101,707	12.0%	27,756	8.2%	948	4.9%
1971-72	94,468	9.4%	22,342	7.0%	893	4.9%
1970-71	82,499	8.5%	*	*	*	*
1969-70	68,386	6.9%	*	*	*	*
1968-69	62,779	5.9%	*	*	*	*
1967-68	64,406	4.5%	*	*	*	*
1966-67	62,556	4.3%	*	*	*	*
1965-66	59,744	4.3%	*	*	*	*
1964-65	54,265	4.0%	*	*	*	*
1963-64	49,552	3.8%	*	*	*	*

*Statistics not available.

Note: These statistics refer to full-time and part-time students at ABA-approved schools. "JDs" includes both JD and LLB. Numbers are from the 1972-79 Fall issues of the Review of Legal Education.

Table 1.15

Percentage of Law School Graduating Classes Who Were in Teaching in 1975-76, by Sex

	Men			Women		
Class	N Receiving JD Degree	N in Law Teaching in 1975-76	% in Law Teaching in 1975-76	N Receiving JD Degree	N in Law Teaching in 1975-76	% in Law Teaching in 1975-76
1975	25,425	2	0.00%	4,546	2	0.04%
1973	25,475	58	0.23%	2,281	17	0.75%
1971	15,928	118	0.74%	1,231*	37	3.01%
1969	16,015	199	1.24%	718*	15	2.09%
1967	14,146	189	1.34%	592*	18	3.04%
1965	11,102	142	1.28%	395*	12	3.04%
1963	9,334	118	1.29%	304*	7	2.53%

Note: Table taken from Fossum (forthcoming). Data on number of JD degrees received taken from Review of Legal Education. Figures on the number of JD degrees awarded were not available prior to 1961.

*Figures on number of JD degrees awarded to women were not available prior to 1972, so Fossum estimated by calculating the proportion of women in the previous year's third and fourth year classes and taking that same proportion of the JD degrees awarded.

Table 1.16

Percentage of JD Graduates from 20 "Producer" Schools Who Were Women, 1976-79

Law School	1976-77		1977-78		1978-79		1979-80	
	Total N	% Women	Total N	% Women	Total N	% Women	Total N	% Women
Havard	525	18%	544	21%	525	20%	528	25%
Yale	177	20%	174	22%	163	28%	173	24%
Columbia	297	24%	295	24%	279	32%	278	33%
University of Michigan	353	24%	373	20%	375	25%	358	24%
University of Chicago	161	18%	166	32%	168	25%	170	28%
Subtotal	1,513	21% (N=318)	1,552	21% (N=326)	1,510	25% (N=378)	1,507	27% (N=407)
New York University	361	31%	371	27%	355	36%	355	39%
Georgetown	452	19%	477	27%	490	25%	482	35%
Univeristy of Texas	570	15%	534	22%	504	26%	511	32%
University of Virginia	332	17%	355	19%	356	20%	355	28%
Berkley	292	34%	284	32%	279	33%	295	33%
University of Pennsylvania	200	24%	183	28%	200	30%	211	38%
University of Wisconsin	291	24%	284	32%	281	25%	305	36%
Northwestern	185	28%	170	35%	178	31%	183	31%
Stanford	148	18%	143	24%	161	27%	198	21%
University of Iowa	208	20%	200	17%	276	26%	202	25%
University of Illinois	187	9%	203	16%	207	20%	212	25%
University of Minnesota	233	21%	210	33%	220	33%	230	28%
Cornell	257	15%	172	25%	170	24%	155	25%
Duke University	145	14%	155	20%	143	22%	196	24%
George Washington University	349	30%	274	32%	311	36%	312	37%
TOTAL	5,623	21% (N=1,180)	5,567	25% (N=1,392)	5,541	28% (N=1,552)	5,709	30% (N=1,713)

Note: Data compiled from the Review of Legal Education.

Table 1.17

Number and Percentage of Employed Lawyers and Judges Who are Women, 1962-1979 (all numbers in thousands)

Calendar Year	Total N Employed Judges and Lawyers	Total N Lawyers	N Women Lawyers and Judges	N Women Lawyers	% Women (Lawyers and Judges)	% Women (Lawyers)
1979	499	478	62	61	12.4%	12.8 %
1978	499	479	47	45	9.4%	9.4 %
1977	462	441	44	41	9.5%	9.3 %
1976	375	359	38	37	10.1%	10.6 %
1975	392	374	28	27	7.1%	7.2 %
1974	359	342	25	24	7.0%	7.0 %
1973	344	328	20	19	5.8%	5.8 %
1972	319	303	12	12	3.8%	3.8 %
1971	305	293	13	12	4.3%	4.1 %
1970	291	*	11	*	3.8%	*
1969	271	*	8	*	3.0%	*
1968	266	*	9	*	3.4%	*
1967	250	*	7	*	2.8%	*
1966	260	*	7	*	2.7%	*
1965	269	*	10	*	3.7%	*
1964	260	*	6	*	2.3%	*
1963	251	*	4	*	1.6%	*
1962	247	*	7	*	2.8%	*

*Statistics not available.

Note: Data were obtained for 1962-76 from unpublished tabulations of the Bureau of Labor Statistics; for 1977-79, data obtained from Employment and Earnings, U. S. Department of Labor, Bureau of Labor Statistics, 1978-80.

Table 1.18

Number and Percentage of Law Teaching Applicants in AALS Register Who are Women, 1977-79

Year	Total N	N Women	% Women
1979	560	91	16%
1978	456	77	17%
1977	470	63	13%

Note: Data provided by AALS. Some people did not indicate gender and were omitted in the caculations. Thus the 1977 "Total" represents 86 percent of the total 545 registered; in 1978, 93 percent of 492 registered; and in 1979, 96 percent of 584 registered.

Table 1.19

Number of Law Schools Employing Two or Fewer Women by City Population and Region, 1979-80

	City Population		
Region	Low (<125,000) (N=37)	Middle (125-250,000) (N=17)	High (>250,000) (N=31)
Northeast	5 (1)*	(2)	2 (1)*
Mid-Atlantic	3	0	2 (1)*
Midwest	4	5	10 (2)*
Southeast	10 (1)*	3	0
South Central	3	3	6
Plains	2	1	1
Southwest	3	1	6
Mountain	5	1	0
West	2	0	4
Puerto Rico	0	1	0

* Indicates "Producer" School

Note: Data from the Review of Legal Education, Fall 1979 and 1976 U.S. Census estimates.

Table 1.20

Number of Schools Employing Two or Fewer Women, by Size of Population in City of Law School Location

Number Women Category	Low (<125,000)	Middle (125-250,000)	High (>250,000)
	Population Size		
No Women (N=13)	8	3	2
One Woman (N=27)	12	6	9
Two Women (N=45)	17	8	20

Note: Employment data from the Review of Legal Education, Fall 1979. City Population Figures were taken from the Census Bureau estimates of July 1, 1976.

Table 1.21

Age Distribution of "Total" Full-time Law Teachers in 1979-80, by Sex

Age Range (in years)	% Men (N=4,422)	% Women (N=637)
25-29	2%	7%
30-34	15%	38%
35-39	24%	27%
40-44	16%	10%
45-49	13%	7%
50-54	11%	6%
55-59	7%	2%
60-64	7%	2%
65-69	4%	1%
70 & over	5%	0%

Note: These percentages were computed from numbers provided by the AALS. Numbers of men were derived by subtracting the number of women from the total number. Two percent of the men and 10 percent of the women did not report their ages. The number and percentages refer to those who did report ages.

Table 1.22

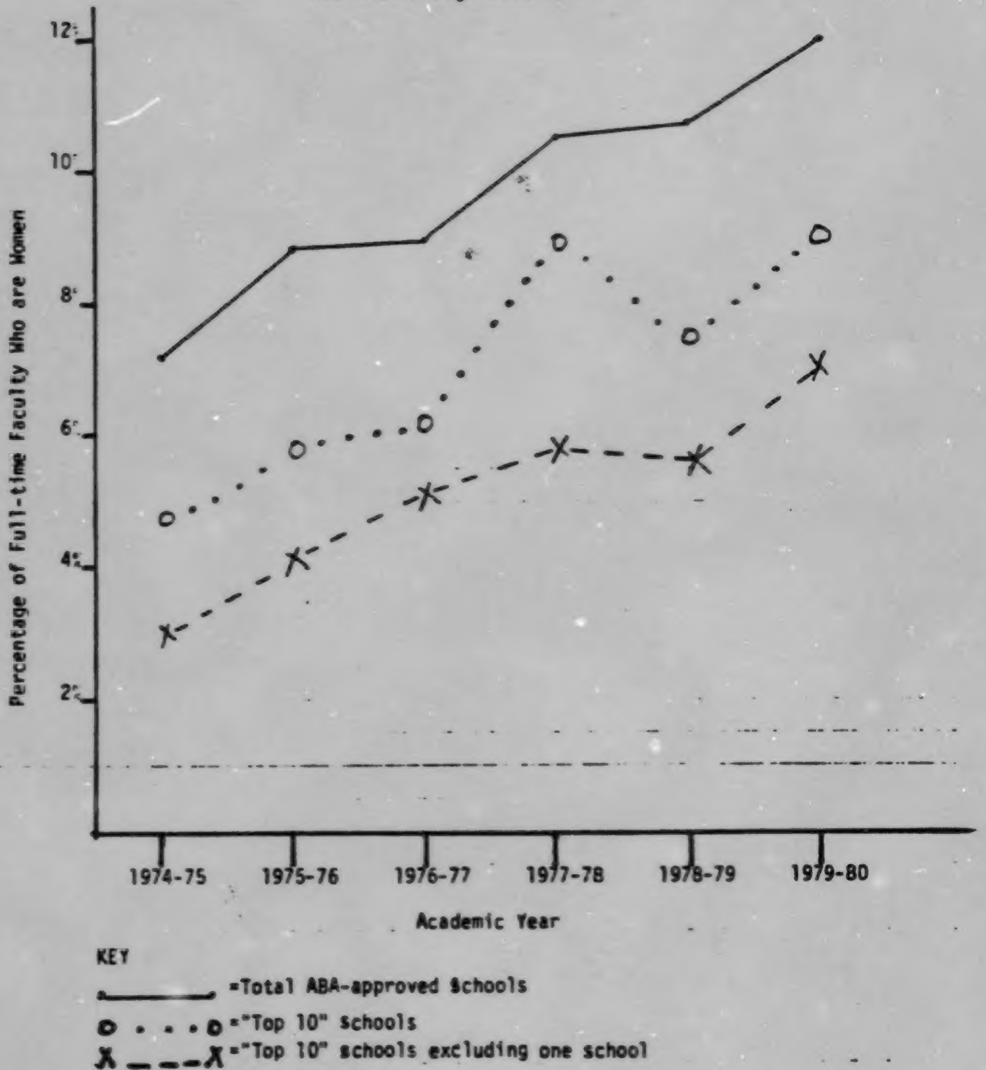
Age Distribution of "New" Full-time Law Teachers in 1979-80, by Sex

Age Range (in years)	% of Men (N=329)	% of Women (N=144)
25-29	13%	16%
30-34	37%	52%
35-39	26%	23%
40-44	8%	5%
45-65	14%	4%
65 & over	3%	0%

Note: These percentages were computed from numbers provided by the AALS. Twenty-seven percent of the men and 23 percent of the women did not report their ages. The numbers and percentages refer to those who did report ages. "New" teachers refer to those who have never before held tenure-track positions on law faculties.

Figure 1.1

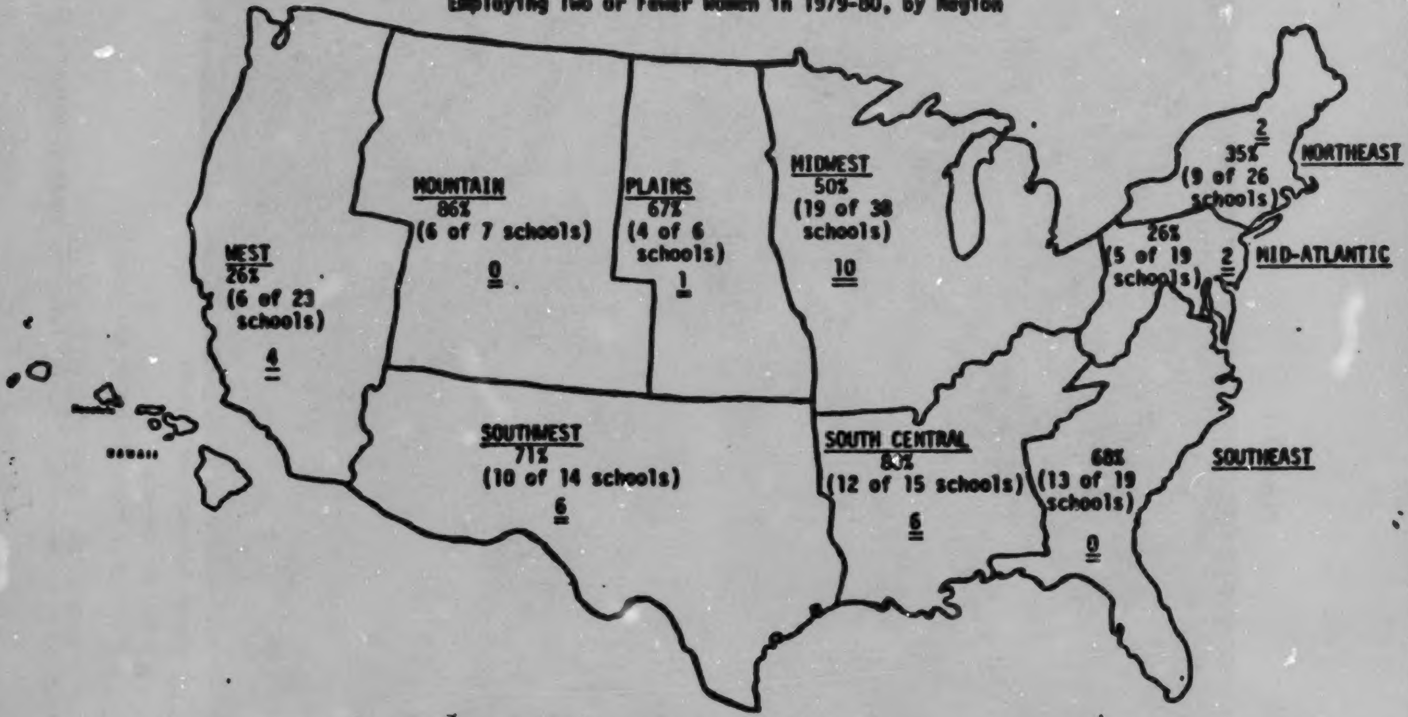
Percent of Full-time Faculty Who are Women:
"Top 10" Schools Average Compared to National Average,
1974-75 through 1979-80



Note: Based on data in the Review of Legal Education.
Original graph by D. K. Weisberg. "Top 10" refers to those in Weisberg (1979).

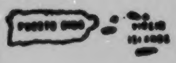
Figure 1.2

Number and Percentage of Law Schools Employing Two or Fewer Women in 1979-80, by Region


WEST
26%
(6 of 23 schools)
4
MOUNTAIN
86%
(6 of 7 schools)
0
PLAINS
67%
(4 of 6 schools)
1
MIDWEST
50%
(19 of 38 schools)
10
NORTHEAST
2
35%
(9 of 26 schools)
MID-ATLANTIC
26%
(5 of 19 schools)
2
SOUTHWEST
71%
(10 of 14 schools)
6
SOUTH CENTRAL
80%
(12 of 15 schools)
6
SOUTHEAST
68%
(13 of 19 schools)
0
HAWAII

WEST	MOUNTAIN	SOUTHWEST	PLAINS	MIDWEST	SOUTH CENTRAL	NORTHEAST	MID-ATLANTIC	SOUTHEAST
Washington	Montana	Arizona	North Dakota	Minnesota	Arkansas	Maine	Pennsylvania	Virginia
Oregon	Idaho	New Mexico	South Dakota	Iowa	Louisiana	New Hampshire	New Jersey	North Carolina
California	Wyoming	Oklahoma	Nebraska	Missouri	Mississippi	Vermont	West Virginia	South Carolina
Hawaii	Utah	Texas	Kansas	Wisconsin	Alabama	Connecticut	Maryland	Georgia
	Colorado			Michigan	Kentucky	Massachusetts	Dist. of Col.	Florida
				Illinois	Tennessee	New York	Delaware	
				Indiana				
				Ohio				

Puerto Rico 33% 0 (1 of 3 schools)


PUERTO RICO
THE VIRGIN ISLANDS

Note: Underlined numbers refer to schools in high population areas (more than 250,000). Alaska, Nevada, and Rhode Island were omitted since they do not have law schools.

CHAPTER II

THE APPLICANTS FOR LAW FACULTY POSITIONS

As discussed in Chapter I, determinations of employment equity require identification of job candidates. One group that should be examined to identify the characteristics and qualifications of candidates is that consisting of individuals who have expressed serious interest in teaching law. This phase of the study focused on one approximation of this applicant group: applicants who attended a law faculty recruitment conference. Examination of the AALS Recruitment Conference is important for several reasons. Since it may be viewed as an entry point into law teaching, it is a particularly critical point at which to obtain information about possible inequities in the job-search process. Furthermore, the Conference format lends itself to efficient data collection: the issues and problems confronting applicants are immediate (and therefore are not subject to errors of recall) and the data can be collected in a relatively short time span.

The Faculty Recruitment Conference is held each year in late November by the Association of American Law Schools (AALS). Its purpose is to give prospective law teachers the opportunity to have interviews with deans and law school recruitment teams regarding employment opportunities. The Conference is held for two days at a large hotel, usually in the Chicago area. This setting enables both applicants and recruiters to meet with many people in a relatively short period of time.

Approximately 150 law schools send representatives to this Conference. Prior to the Conference, recruiting teams arrange the interviews they will conduct at the Conference. The teams make these interviewing decisions after reviewing applicant resumes which are distributed to the law schools in the AALS Faculty Appointments Register. These one-page "form resumes" contain information about the applicants' degrees, class rank, law review position, employment experience, teaching subject and location preference, publications, and gender and ethnic background.

At the two-day conference, the study focused on two tasks which were designed to gather information about the extent to which women law teaching applicants' job-search experiences differed from men's: 1) distribution and collection of the Recruitment Questionnaire, and 2) the conducting of interviews with eight applicants in a "matched-pair" study.

This chapter will first discuss the methodology for both the questionnaire and the in-depth interviews. The findings from the questionnaire will then be discussed dealing with teaching qualifications, job-search processes, and motivations for law teaching. Interview findings are divided into experiences before or during the Conference, and after the Conference. Summary and conclusions follow this discussion.

METHODOLOGY

Instruments

Questionnaire

The Recruitment Questionnaire (Appendix 2.1) was developed to measure law faculty applicants' qualifications, job-search experiences, and motivation to teach law. Open-ended items were included to gather anecdotal information and to identify response parameters. The questionnaire was developed in consultation with AALS and ABA staff and was reviewed by one of the project's legal consultants. It was pretested on five lawyers and revisions were made in response to their comments.

Interview

Questions were developed for in-depth interviews with a small sample of applicants (Appendix 2.2). The questions were semi-structured and focused on factors potentially influential in the outcome of the job-search process, such as: experiences during the Conference, the Conference in relation to other job-search activities, law teaching preferences, and equity issues.

Procedure

Questionnaire

Each registrant's Conference-information packet contained a letter from the AALS executive director introducing the study (Appendix 2.3). In addition, notices on six general message boards (Appendix 2.4) and a sign over the ABA table requested that applicants obtain and complete the ABA Questionnaire.

A table was maintained in the center of the applicant registration and message room. All applicants entered that room to register and to receive messages from law school recruiters. When applicants came to the study table, they received a copy of the questionnaire, an explanatory cover letter (Appendix 2.1), and an envelope in which to return the questionnaire. They were asked to complete the questionnaire and return it to the questionnaire box at the study table some time before the end of the Conference.

Interviews

During the week prior to the Conference, the project director telephoned the individuals selected for the eight in-depth matched-pair interviews. While the content of the conversations varied (depending on questions the subjects asked), certain information was communicated in all discussions. The project was explained as a study funded by the National Institute of Education (NIE) with matching funds from New York Law School, for the purpose of assessing the status of women on law faculties. The director explained the aspects of the study to be addressed at the Conference and scheduled times for preliminary meetings with each respondent in order to provide additional background information and to confirm the interview time.

At these 10-minute introductory interviews, most of which were held the evening prior to the Conference and in a location convenient for the applicant, the two researchers introduced themselves, confirmed the interview time, and discussed the confidentiality of the information and the the general nature of the interview questions. The participants were requested to bring the completed questionnaire to the interview.

The 30-minute interviews were semi-structured one-to-one interviews usually conducted in the ABA hotel room. At the end of each interview, the respondent was given an opportunity to ask questions about the study. Each was asked to participate in a follow-up phone conversation about the outcome of their job search and all agreed to do so. These follow-up conversations took place in June 1980.

Sample

Questionnaire

Applicants at the Conference were made aware of the study through the AALS director's memorandum (Appendix 2.3) which was placed in each applicant's registration packet and on bulletin boards in the registration area. A table was placed in a prominent position in the registration area and was labeled "ABA Recruitment Study." While no attempt was made to hide the nature of the study, the emphasis was placed on recruitment issues rather than on equity issues. The memo described the study as an "inquiry into the law faculty recruitment process and an assessment of differences which may exist between men and women in that process." The intention of this emphasis was to lessen bias in the volunteer sample due to the nature of the subject matter.

A total of 122 questionnaires was returned, 94 from men and 28 from women. This represented 42 percent of the total number of registered applicants at the Conference (Total N=292). Thirty-nine percent of the men (Total N=240) and 54 percent of the women (Total N=52) registered applicants returned questionnaires.

Sixty-six percent of the men were married, compared to 32 percent of the women (X^2=8.80, df=1, p<.01). Forty-four percent of the men and 32 percent of the women had children; this was not, however, a statistically significant difference. There were no black respondents. The men averaged six years out of law school (M=5.98, sd=4.26), while the women averaged approximately five years since graduation (M=5.4, sd=4.26). Again, this was not a significant difference.

Interview

The AALS form resumes of all the applicants who had registered 10 days prior to the Conference were selected from the Appointments Register (125 men, 22 women). These were divided into two groups: those 29 from "producer" law schools and those remaining 118 from other law schools (see Table 1.3 for identification of "producer" schools). Interviewees were chosen who had degrees from the "producer" schools, since they had a higher probability of obtaining a law teaching position. Men were then chosen as nearly as possible to "match" the women on year of JD, as well as on the existence of law teaching and practice exerience. These variables were selected for matching because they were considered likely to influence the outcome of the job-search experiences.

With one exception, all applicants contacted agreed to participate. A substitution had to be made for one man because of his late arrival at the Conference.

All eight interviewees had degrees from "producer" schools. On the whole, the women as a group appeared slightly less qualified for a teaching position than the men when viewed by the traditional criteria. The women as a group, however, had more interviews than did the men (107 and 76 respectively).

None of the women had advanced law degrees. None had been in the top 10 percent of their classes; three reported a top 25 percent class rank and the fourth in the middle. Only one woman had been on law review. Two women had taught in tenure-track positions in a law school previously, and all four women had taught in "marginal" positions (e.g., part-time, or teaching not in a law school). Two women had at least three years of practice experience, one had two years, and the fourth had none. Two women were married and one had a child.

Two men of the four had LLMs and another held an SJD. All reported having been in the top 10 percent of their classes. Two had been on law review. In their professional experience, one had taught previously in a full-time tenure-track position, and two had held "marginal" positions. All four men had at least three years of practice experience. Two were married and each of these had a child.

Data Analysis

Answers to open-ended questions on the questionnaire were tallied and categories were developed from the tallies; each answer was then assigned to a category. The SPSS program was used for all computer data analysis. Anecdotal data were recorded to complement the computer analysis.

FINDINGS: RECRUITMENT QUESTIONNAIRE

The questionnaire yielded information about the applicant sample in three major areas: qualifications, job-search processes, and motivation to enter law teaching.

Qualifications

Table 2.1 presents the applicants' academic and professional experiences which are indications of qualifications for law teaching positions. Forty-seven of the 94 men (about 50 percent) in the sample graduated from one of the 20 "producer" schools. Only 25 percent, or seven of the women, however, were graduates of "producer" schools. The other two most important qualifications (according to Chapter I) are membership on law review and graduation in the top 10 percent of the class. Again, one half (N=47) of the men were in the top 10 percent, and 40 percent (N=38) were on law review. More than half (N=19) of the women were in the top 10 percent of their class, and 50 percent (N=14) were on law review. With the exception of the percentage graduating from "producer" schools, the percentage of women in the sample with teaching qualifications appears to be at least equal, if not greater, than that of men. It is important to note, however, that even though the men and women in the sample were similarly qualified, there were over three times as many men as women.

Professional legal experiences appeared similar in the two groups (Table 2.1). More respondents reported private practice experience than any other type of experience; the percentage of women with that experience was nine points greater than of men. In the other areas of experience, the percentage of women was similar to or greater than that of men. An analysis was also performed comparing the mean number of years in these activities; it revealed no differences between the men and the women.

In summary, the only difference of note between the men and women applicants on the important qualifications is the lower percentage of women graduating from "producer" schools. In academic honors and legal experience, women were equally (if not more) qualified than their male counterparts. It is interesting to note that a greater percentage of women than men engaged in "marginal" teaching positions (nontenure-track or part-time). On several variables considered relatively unimportant to teaching (student teaching during law school, advanced degrees, and participation in other law journals), more men appeared "qualified."

In an attempt to determine how the qualifications of the applicant affect the number of job interviews obtained, a stepwise multiple regression analysis was conducted. In essence, this analysis used 15 "teaching qualification" variables to predict the number of interviews requested of the applicants by law school recruiters. The number of interviews requested was chosen as the criterion variable because the actual number scheduled at the Conference was limited by time; also the number requested is a better indicator of the "demand" for individuals. The correlations among these variables are shown in Appendix 2.5. In addition to the qualification variables, sex was added as a predictor. A summary of the results of this analysis is presented in Table 2.2. The most important predictor of the number of interviews requested at the Conference was class rank. In other words, the higher-ranked graduates received more interview requests. (The beta is negative because "class rank" was coded as decreasing from "1".) This result was in the predicted direction.

The second most important predictor was "producer" status of JD law school. The relationship of this variable to the criterion variable, however, was not in the expected direction. Since "producer" status was coded in the same way was as class rank, with 1 being the top five "producer" schools, a negative beta-weight would be expected. Yet the actual result suggests a negative relationship between the number of interviews requested and the "producer" status of law school origin, given that individuals have similar ranks. Since the number of women in the sample from "producer" schools is small, this suggests that being a woman increased the number of requests for interviews.

This finding is further supported by the fact that sex is the third most important predictor, indicating that the number of interview requests one receives is influenced by one's gender. The women had an average number of approximately five more interview requests. The mean number of interview requests for the men applicants was 9.69; for women the mean was 14.32 (Table 2.3). This difference is interesting in light of the fact that 26 of the men (28 percent) and about the same proportion of the women (eight people, or 29 percent) had interviews prior to the Conference. The fact that seven men and no women had job offers prior to the Conference calls into question the conclusion suggested by the greater numbers of AALS interviews that schools are making additional efforts to hire women. Indeed, it may only indicate that they are making efforts to interview them.

Experience in teaching while a law student was the fourth most important predictor, and the relationship was in the expected direction.

Job-search Processes

The job-search activities of the men and women in general were relatively similar. Table 2.4 shows that the most often-cited job-search activity was contacting law schools directly; 71 percent of the women and 53 percent of the men cited this. It is notable that women did not appear unassertive in this regard. Approximately a third of both groups indicated that they contacted individuals directly. Few people responded to advertisements or used the school placement service. Only 12 percent of the men and seven percent of the women reported that they had engaged in no other job-search activities aside from the Conference.

In an attempt to determine whether "mentors" might play different roles in the job-search processes of men and women, the questionnaire asked if any person had been helpful in the decision to pursue teaching as a career or in the pursuit of a faculty position. Table 2.5 shows that over 60 percent of both men and women reported having a mentor. Thirty-two percent of the women reported having at least one female mentor (compared to eight percent of the men applicant sample). Fifty percent of the women had men as mentors while 53 percent of the men did. It appears, then, that in this sample there were no sex differences in the percentage of those having a mentor,as defined by the question.

Applicants were asked other questions which attempted to identify what perceptions the applicants had about the job-search process. Table 2.6 shows that women and men appeared to differ in reporting difficulties in their pursuit of a faculty position. A higher percentage of women than men reported job-search difficulties. Fifty-five percent of the men compared to 29 percent of the women reported that they had no difficulties. The responses which were coded as "inadequate qualifications" were most often cited by both men and women, although twice as high a percentage of women as of men cited this. It is difficult to assess without further study whether this difference between men and women is due to actual lesser qualifications or merely self-perceived inadequacies. More than twice the percentage of women than of men cited specifically that they considered the school from which they received their degree to be a drawback.

Anecdotal date revealed three other general difficulties in the job-search process. Twenty men and two women expressed frustrations about the criteria used in judging the teaching potential of applicants. Some 14 men and two women complained that the criteria were either "hopelessly nebulous" or "too narrow" (i.e., discouraging to individuals who expressed unconventional legal or nonlegal interests). Seven men indicated that they were surprised or disappointed that academic experiences in law school (especially law review) were so important, and that practical experience in the legal world or in teaching did not seem to be given appropriate weight. One male applicant wrote that the job-search process places "false emphasis upon artificial symbols of expected success and competency (e.g., law review, Coif, clerkship, etc.) in contrast to demonstrating competency--on-the-job (non-teaching) experience." Another male applicant wrote, "My average performance in law school more than 12 years ago has prevented me, I believe, from being considered by the law school 'fraternity' and will continue to be a hindrance no matter what I have accomplished subsequently." A woman observed that, "having done clinical teaching, I find this 'labels' me and I am not considered for non-clinical positions." At least six men questioned the effectiveness or seriousness of the AALS Conference as a channel through which law teaching positions were obtained.

Some individuals volunteered comments about differences they perceived between men and women in their job-search activities. One man wrote, "Obviously some positions here are 'wired' and the participation here is an attempt to give lip service to EEO which is a disservice to everyone." Another male applicant expressed, "I support affirmative action. However, if you are not a woman or a black, it makes obtaining a job somewhat harder." Women indicated that the needs or desires of other family members created difficulties in their job search (consistent with Centra, 1974). At least two women indicated that their marital status limited their flexibility in seeking positions. Two others reported recruitment personnel who indicated that women may not be as professionally flexible because of personal commitments. One woman reported that she was asked if she had a boyfriend to keep her from relocating and was told "this was a problem with women." Another woman reported that "some law schools are reluctant to believe that my husband is willing to relocate with me." Two women stated that being a woman in pursuit of a law teaching position created problems. Since I am female [and] appear younger than my years," a woman respondent wrote, "I get the sense that recruiters do not credit my experience (which is substantial) as much as they should." Another woman felt that recruiters' comments that she was too "shy" and "reserved to be effective in a classroom" were "in part a reaction against women entering the profession." No men expressed this type of difficulty.

These comments reveal that, while there are some pervasive difficulties which are perceived by both sexes, there are also some which individuals perceive as having a sex-linked component. It is difficult to determine the extent to which these difficulties acually exist or the pervasiveness of the problems. The fact that they are perceived by some portion of the population, however, is important in assessing the integration of women into law teaching at this point in the process.

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Motivation to Teach Law

Varying degrees of motivation to teach might explain in part any sex differences in the integration of women into the field. Motivation to teach was measured in several ways.

The questionnaire asked, "In relation to other types of legal positions (e.g., private practice, government, etc.), how important is law teaching to you?" Respondents' answers were then coded on a four-point scale (1=most preferred, 2=preferred, 3=one of several types of positions considering, 4=actually prefer another type of legal position). The mean score for both men and women was 1.6 (sd=.79). Thus men and women in the sample seem similar in their preference for teaching.

Table 2.7 presents the various reasons cited for entering law teaching in response to an open-ended question. The most commonly cited reasons for both (cited by about half of each) was a general sense of enjoyment and personal satisfaction. While about 35 percent of both men and women reported as a reason the opportunity for intellectual challenge and growth, it ranked second in terms of frequency for the men but third for the women. The second most often-cited reason for entering law teaching for the women was the desire to do research and to write (43 percent), compared to 27 percent of the men who cited this. Another way in which men and women appeared to differ in citing reasons concerned flexibility; while about a third of the women cited it, only about a fifth of the men did.

Another way commitment may be measured is the time at which a decision is made, i.e., the sooner the decision, the more committed. The decision to enter law teaching was made by 70 percent of both groups after graduating from law school. The perception of "drawbacks" to law teaching was another way that motivation was assessed. Table 2.8 shows that a greater proportion of men than of women reported no drawbacks (16 percent of the men compared to 7 percent of the women). Of the five most commonly cited drawbacks, both men and women most often cited low salary relative to other legal positions (with about a third of both groups reporting this as a drawback). The second most commonly cited drawback, however, was different for women than it was for men. Twenty percent of the men cited little time for practice, where "practice" was loosely construed as involvement in other areas of the legal profession aside from teaching. "Pressure to publish" and "little time for practice" were each cited by 29 percent of the women. While 29 percent of the women reported this "pressure to publish" drawback, only 11 percent of the men did.

Another approach to measuring motivation was to examine potential gender differences in aspirations and expectations. It has been argued, for example, that women may not achieve to as great a degree as do men because their aspirations are not as high, or because their expectations for achieving their aspirations are not as great (e.g. Ashburn, 1977). Tables 2.9 and 2.10 present the applicant responses concerning the importance of certain goals

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(the goal could have 1=great importance, 2=some importance, 3=little importance, or 4=no importance).

The women differed from the men on the "importance" of three goals (Table 2.9). The women considered it more important than did men to have colleagues' respect (t=2.95, df=74.9, p<.01), to exercise leadership (t=2.95, df=66.03, p<.01), and to advance in faculty rank (t=2.26, df=50.7, p<.05). When the rank order of the means were examined, the top three goals were the same for men and women: having colleagues' respect, transmitting legal knowledge, and helping students. There was no difference between the two groups in the importance of the goal of "time for family," "research and writing," and "freedom from supervision."

For "expectations" of achieving each goal (Table 2.10), those respondents who did not consider a goal important were dropped from the analysis (coding was 1=near certain to 4=unlikely). On the three goals which were most important to both groups, there were two sex differences in expectations. The women tended to be more certain of having their colleagues' respect (t=2.47, df=70.3, p<.05) and of helping students (t=2.02, df=73.7, p<.05). The only other sex difference was on the variable "exercise leadership" (t=2.19, df=55.8, p<.05): the women were more certain than the men of achieving that goal. There were no differences between the men and the women in their expectations of doing "research and writing," or of having "time for family." Expectations were lowest in both groups for achieving a top administrative position and a national reputation. Thus women in this sample, seemed just as committed, ambitious, and optimistic (if not more so) than their male counterparts.

FINDINGS: MATCHED-PAIR INTERVIEWS

The applicant matched-pair interviews were used to elaborate on issues covered by the questionnaire and to obtain information concerning the job-search process after the AALS Conference.

Before and During the Conference

There were many similarities between the men and the women in their job-search activities. None applied to "producer" schools. One woman commented that she did not do this because she thought they would not accept her. All interviewees stressed the importance of teaching at a school with a "low-pressure" atmosphere and a friendly, open faculty. Both men and women indicated that their marital status affected their career plans, with single individuals reporting more flexibility. Both men and women expressed dissatisfaction with the system's "preoccupation with prestige," in one male interviewee's words.

Two men and two women expressed frustration that many law schools who send representatives to AALS may not have any openings, which, in their opinion, did a disservice to all concerned. This view was corroborated by a recruiter, who commented that even though aplicants perceive the Conference as a legitimate process, he thought most positions were filled "through the grapevine."

In terms of job-search processes, women expressed confusion about the most effective means of application. One woman said she wrote letters to schools, but she was later told this was "pushy." Another woman expressed gratitude that people advised her to write letters to schools and to solicit recommendations from contacts. "I feel like I am bothering recommendors," one female applicant reported, "Although they don't make me feel that way." Another woman said she wished she had known more about the importance of being on law review, and of publishing a sole-authored article (she had just published a co-authored law review piece).

Regarding the actual job interview experience at the Conference, no patterns of sex differences emerged. Both a man and a woman indicated that they performed worse when they cared about the position. Both men and women reported that recruiters asked questions which emphasized their attitudes toward law teaching, as opposed to questions on the substantive command of law. All interviewees indicated they exhibited certain behaviors to "sell" themselves.

They reported that most schools had at least one woman on their recruiting team. Two men noted that the women recruiters tended to be quieter than did the men. While some individuals said that they preferred "mixed" interviewing teams, the team's sex composition reportedly did not affect the applicant's performance.

Both men and women thought that some aspects of obtaining a law teaching job were different for women than for men. All interviewees indicated that it was easier for a woman than for a man to be identified and hired. One woman reported a comment of a young recruitment committee member, which she thought expressed the entire committee's sentiment: "When you find a good woman, you gotta get her." She noted, however, that these "good" women are usually the "safe" ones, in other words, "those satisfying the traditional criteria." Two of the men, however, noted that being a white male was not as much a disadvantage now as it had been in the early seventies.

Some people indicated that they thought schools were looking for different qualities in women than in men candidates. According to one male interviewee, women are treated like "exotic animals in a zoo" who do not teach basic courses. Another woman related the "double bind" of one woman she knew who had 30 interviews at the Conference, with the result of only one job offer at a school which was not a preferred choice. The interviewee commented on this woman's job-search experiences: "Everything that made her 'human' (what others might have considered "female") was held against her. She was criticized for permitting too much discussion and being 'too soft.' Furthermore, the fact that she was raising her children alone seemed to make some people think she was not that committed." These attitudes were present in spite of the fact that her student evaluation ratings in her current "visiting" position were excellent.

Both men and women also noted that, while women may have formal advantages over men, "informal" factors operate to put them at a disadvantage. Two of the men interviewees admitted that they unintentionally judged women on stereotypes. One reported that, while he would find an overly aggressive male teacher unpleasant, he would find a similarly aggressive woman even more difficult to tolerate. Another man observed that he was "less threatened by women." "It's like a fraternity," one man observed. Both a man and a woman made an analogy to sports, suggesting that women may not be more integrated because of sentiments that "this is a man's game." Two women indicated attempts to convince committees that their search was sincere. Two women indicated that the affirmative action laws as they were written and enforced were ineffective. Still another woman reported overhearing a recruiter saying that he really did not expect to do any hiring out of the Conference, but that his school attended to satisfy affirmative action requirements.

Interviewees also reported other perceived sex differences. Both men and women indicated that women may project less confidence than do men with similar qualifications. Two of the men and none of the women indicated that they attempted to communicate confidence and a sense of humor. One man noted that women "personalize" the obstacles they encounter, when frequently issues are resolved by "who can yell the loudest." Some differences in levels of commitment to law teaching were also perceived; both men and women suggested that women as a group may be more ambivalent about law teaching, and have more family responsibilities then do their male counterparts.

After the Conference

One man and one woman terminated the process shortly after the Conference. They both explained that they realized that they preferred practice to a teaching position. The man reported that he stopped the process after the Conference because everyone kept telling him that the market was bad, especially with respect to tenure. He also had some realizations that teaching was not ideal in that it was much more competitive in terms of "maintaining position" than he realized, and he was convinced that it was not the right place to be if "you have career goals." Further negatives were the low pay relative to other legal professions and the job insecurity.

The woman reported that people potentially employing her as a lawyer were more cordial to her than those potentially employing her as a law teacher. "When employers want lawyers, they show all the boy-scout virtues," she noted, but the law teaching employers are "not courteous." She also expressed her feeling that law teaching is still an "old boy network," full of people who are "still seeking to replicate themselves; white males in grey flannel suits on law review." Her impression was that "they don't deal well with women, blacks, or even white males who don't fit in with the stereotype."

The remaining three men received offers for tenure-track positions at a law school; all three accepted.

Two of the three women received offers for tenure-track positions in a law school. Neither accepted the offer.

All of those with offers reported that they had initial contact with the school through AALS.

One woman accepted a law teaching position not at a law school because of her husband's employment, even though she had received three offers from law schools for tenure-track positions. She was not offered a law school position in the same city where her husband had received an excellent offer. She noted that she had compromised in that instead of selecting the alternative which was excellent for her professionally and mediocre for her husband, they chose to select the alternative which at the time seemed excellent for her husband and better for her children, even though professionally problematic to her. She explained that teaching law outside a law school is probably more detrimental professionally, in terms of future prospects for a law school position, than not teaching at all. "Law teachers think you can't get a job at a law school and your colleagues don't quite see you as one of them since you don't have a degree in their field," she said.

The second woman with job offers faced similar obstacles. She was not satisfied with her one offer for a tenure-track position because the resources, including her salary, were poor at that institution. She declined two offers for visiting positions on two grounds. First, she reported that it would be "asking a lot of [her] husband to move to these undesirable places" for a year and for her not to be any closer to tenure. Second, she looked at the visiting positions as possibly amounting to losing a year's worth of research, once again without being any closer to tenure. It is interesting to note that the two men and two women who were married expressed their spouses' needs as an important factor in their professional decisions, but neither man indicated that they had compromised their own career for their spouses'.

In summary, the three men who still wanted a tenure-track position following the Conference will be teaching in such a position in 1980-81. None of the women will. It is notable however, that all four women will have positions which are "marginal" to law school teaching: two will be tenure-track law teachers in higher academic institutions which are not law schools, one will teach in a law school part-time, and one will be in a staff position in law school. These results occurred within the context that the women as a group received 107 requests for AALS interviews, while the men received only 76.

None of the women attributed their "failure" necessarily to being a woman, nor did they report clear feelings of being discriminated against on account of their sex. The woman with no offers was suprised that she did not receive any, suggesting the following explanations: perhaps she started her search too late, perhaps the recruiters were looking for younger candidates (she is in the 35-39 age category), perhaps they thought she was not interested, or perhaps the process was more competitive than she had anticipated. She did indicate, however, that she planned to apply again in the coming year.

SUMMARY OF MAJOR FINDINGS

A questionnaire completed by a sample of 94 men and 28 women law faculty applicants at the AALS Faculty Recuritment Conference revealed the following:

- The percentage of women applicants with qualifications important for law teaching was similar to that of men. Women as a group were at least as qualified (if not more qualified) than men in academic qualifications important to law teaching (law review participation, class standing, and Coif membership) and in professional experience, including teaching.
- While half of the men in the sample received their JDs from "producer" schools, only a quarter of the women had "producer" degrees.
- About 60 percent of both men and women reported having "mentors."
- Women, on the average, had more requests for Conference interviews than did men.
- Men and women were similar in their job search activities, except that 18 percent more women than men had contacted law schools directly.

- Twenty-six percent more women than men reported difficulties in the job-search process.

- Women did not differ from men on a scale to measure aspirations and expectations for doing research and writing.

- There were no differences between men and women on the measures of their commitment to law teaching.

- The most often-cited drawback to law teaching by both men and women (a third of each) was low salary relative to other types of legal positions.

- There were no differences between men and women in their three highest-ranked goals in law teaching: having colleagues' respect, transmitting legal knowledge, and helping students.

- Women were no different from men in their aspirations and expectations for having freedom from supervision and having time for family.

In-depth interviews with four men and women applicants with similar qualifications revealed the following:

- All eight interviewees thought the job-getting process was different for men than for women. The general observation was that formal processes operated to women's advantage, informal to women's disadvantage.

- None of the eight applied for faculty positions in "producer" schools.

- The four women received a total of 107 requests for AALS interviews and the four men received 76.

Table 2.1

Percentage of Faculty Applicant Sample with "Faculty Qualifications," by Sex

Qualification	Men (N=94)	Women (N=28)
JD from "producer" school	50%	25%
Academic honors:		
Law review	40%	50%
Top 10% class rank	50%	68%
Coif	23%	25%
Legal experience:		
Private practice	62%	71%
Government	28%	36%
Legal aid/public interest	15%	15%
Judicial clerkship	22%	21%
Corporations, banks, trusts	4%	4%
Other legal experience	13%	11%
Teaching experience:		
Full-time, tenure-track	14%	18%
Full-time, nontenure-track	26%	36%
Part-time on law faculty	19%	32%
Student teaching during law school	28%	18%
Other academic experience:		
LLM	26%	18%
SJD	11%	0
Other honors	58%	61%
Other law journals	15%	7%

Table 2.2

Variables in Stepwise Multiple Regression Model to Predict Number of Interview Requests from Applicant Sample Qualifications (in descending order of predictive strength)

Predictor Variables	r^2	Increase in r^2	B
Class rank	.0729	.0729	-0.2952
Law school "producer" status	.1166	.0437	0.2482
Sex	.1702	.0535	0.2280
Student teaching experience	.2145	.0444	0.1926

Table 2.3

Profile of Interview Activities for Faculty Applicant Sample, by Sex

Interview Activities	Men			Women		
	Mean	sd	N	Mean	sd	N
Number of interviews requested by schools[a]	9.69	8.02	94	14.32	11.18	28
Number of interviews scheduled at Conference[a]	9.19	6.38	92	12.50	6.19	28

[a] $p<.05$

Table 2.4

Percentage of Faculty Applicant Sample
Reporting Each Job-search Acitivity, by Sex

Job-search Activity	Men (N=85)	Women (N=28)
Contacted law schools directly	53%	71%
Contacted people (e.g., colleagues, former law teachers)	34%	36%
Responded to advertisements	11%	11%
Used placement services	4%	4%
Miscellaneous	13%	18%
Reported doing nothing else	12%	7%

Note: Nine of 94 men did not respond. Percent columns do not total to 100 because respondents could cite more than one activity.

Table 2.5

Percentage of Faculty Applicant Sample Who Reported Having "Mentors," by Sex of Applicant

Reports of "Mentors"	Men (N=89)	Women (N=28)
Total who had no mentor	39%	36%
Total who had mentors:	61%	65%
Same sex mentor only	44%	11%
Opposite sex mentor only	1%	29%
Mentors of both sexes	7%	21%
Mentor, but no information regarding sex	9%	4%

Note: Five of the 94 men did not respond. Percent columns may not total to 100 because of rounding.

Table 2.6

Percentage of Faculty Applicant Sample Reporting Each Difficulty in the Job-search Process, by Sex

Difficulty	Men (N=91)	Women (N=28)
"Inadequate qualifications"	20%	40%
Lack of degree from "prestigious" law school	5%	14%
Lack of a "sponsor"	3%	4%
Other difficulties	21%	29%
No difficulties	55%	29%

Note: Three of the 94 men did not respond. Percent columns do not total to 100 since respondents could cite more than one difficulty.

Table 2.7

Percentage of Faculty Applicant Sample Reporting Each Reason for Entering Full-time Law Teaching, by Sex

Reason	Men (N=89)	Women (N=25)
Sense of personal enjoyment and satisfaction	52%	50%
Opportunity for intellectual challenges and growth	35%	36%
Desire to do research and write	27%	43%
Personal and/or professional flexibility	19%	32%
Sense of personal impact on legal education	17%	21%
Dissatisfaction with practice	17%	21%
Desire to interact with students	9%	14%
Other reasons	19%	18%

Note: Five of 94 men and 3 of 28 women did not respond. Percent columns do not total to 100 since respondents could cite more than one reason.

Table 2.8

Percentage of Faculty Applicant Sample Reporting Each Drawback to a Law Faculty Position, by Sex

Drawback	Men (N=94)	Women (N=28)
Low relative salary	35%	32%
Little time for practice	20%	29%
Academic "politics"	16%	25%
Pressure to publish	11%	29%
Administrative responsibilities	12%	18%
Miscellaneous	32%	32%
No drawbacks	16%	7%

Note: Percent columns do not total to 100 since respondents could cite more than one drawback.

Table 2.9

"Importance" of Each Goal in a Law Teaching Career For Faculty Applicants, By Sex (means and standard deviations)

	Men			Women		
Goal	Mean	sd	N	Mean	sd	N
Advance in faculty rank[a]	1.86	.67	94	1.57	.57	28
Attain top administrative position	3.29	.82	92	3.07	.81	28
Exercise leadership[b]	2.17	.83	93	1.85	.53	27
Achieve national reputation	2.06	.77	94	2.26	.71	27
Have colleagues' respect[b]	1.34	.52	93	1.11	.32	28
Transmit legal knowledge	1.17	.46	93	1.25	.52	28
Freedom from supervision	1.83	.82	92	1.82	.67	28
Research and write	1.48	.60	94	1.61	.69	28
Time for family	1.70	.78	93	1.68	.82	28
Help students	1.24	.45	93	1.14	.36	28

[a] $p<.05$
[b] $p<.01$

Table 2.10

"Expectation" of Achieving Each Goal in a Law Teaching Career For Faculty Applicants, By Sex

(means and standard deviations)

	Men			Women		
Goal	Mean	sd	N	Mean	sd	N
Advance in faculty rank	1.44	.67	92	1.46	.58	28
Attain top administrative position	2.88	.89	65	2.77	1.11	22
Exercise leadership[a]	1.96	.84	92	1.63	.63	27
Achieve national reputation	2.52	.76	93	2.64	1.03	28
Have colleagues' respect[a]	1.52	.69	92	1.25	.44	28
Transmit legal knowledge	1.31	.63	93	1.14	.36	28
Freedom from supervision	1.67	.72	88	1.75	.70	28
Research and write	1.37	.60	94	1.36	.73	28
Time for family	1.73	.77	89	1.73	.67	26
Help students[a]	1.27	.51	93	1.11	.32	28

[a] $p<.05$

CHAPTER III

THE LAW SCHOOLS

In order to ascertain factors which may be operating to hinder a rapid increase in the number of women on law faculties, an investigation into the legal education institutions was seen as necessary. This required a study of the total law teaching "context": the law school. The purpose of this phase of the study was to define some of the issues and problems related to women within the processes of recruitment and hiring, and to ascertain what institutional variables might be associated with a larger percentage of faculty women. Of particular interest were activities and perceptions of faculty members on the personnel and promotion and tenure committees, the role of the dean in the integration of women, and statistical information on teaching contact hours, student enrollment, and salaries.

This chapter describes the selection of the sample schools, the instruments and procedures for data collection, and the method for data analysis, and findings related to characteristics of the sample schools. Because of the time constraints of the project period, it was not possible to complete the analysis of the interview data; it is hoped that these findings may be presented in a subsequent report.

METHODOLOGY

Instruments

Committee interviews

Interview questions were developed for faculty recruitment committee members (Appendix 3.1) and promotion and tenure committee members (Appendix 3.2). The purpose was to understand the committee process in both areas and to focus on particular issues related to women. An AALS questionnaire to law schools on promotion and tenure provided a basis for the promotion and tenure questions, as well as a framework for questions to recruitment committee members. A focus on the current recruitment committee efforts was seen as the most effective way to collect information about that process. The questions were developed in conjunction with the project consultants and through preliminary data gathering at one law school not in the sample.

Statistical data

Information on faculty salaries (Appendix 3.3) and teaching contact hours (Appendix 3.4) was gathered using a format taken from the ABA's RLE questionnaire. The RLE format was used to facilitate obtaining the information. However, several changes were made. In regard to salaries, the breakdown was requested by sex, and the mean rather than the median salary was obtained. Student enrollment figures were obtained (Appendix 3.5) with a request for attrition rate and percentage in the top 10 percent of the class, by sex. The latter figures have not been reported here because the variation in reporting methods yielded data that were not useful. The appropriate administrator completed the forms at each school.

Deans

Interview questions were prepared for the dean at each law school, focusing on the history of affirmative action activities and the role of the dean in that process. There was much variation among schools in the role of the dean, so that the specific questions asked varied from school to school.

Procedure

During January 1980, contacts were made by mail with the deans of the 10 law schools selected for the sample. The "contact package" contained an introductory letter to each dean from the chairperson of the American Bar Association's Section of Individual Rights and Responsibilities (Appendix 3.6). In addition, there were letters from the executive director of the Association of American Law Schools (Appendix 3.7), the chairperson of the American Bar Association's Section of Legal Education and Admissions to the Bar (Appendix 3.8), and the project director (Appendix 3.9). A list of the project's Advisory Committee members and a summary of the project's purpose were also included (Appendix 3.10). In each letter, the anonymity of the schools and the confidentiality of all information obtained was stressed.

These "contact packages" were followed up with telephone calls by the project director to the deans. The purpose of the call was to confirm the school's participation in the study and to set a firm date for the on-site visit. At that time, a contact person was appointed by the dean (in most cases an administrative assistant or a professor). This person helped to arrange the administrative details and provided the information needed prior to the on-site visit. Among these details were the identification of 1) members of the recruitment/personnel committee; 2) members of the promotion and tenure committee; 3) other faculty members who play a role in the hiring of faculty members; 4) students to whom questionnaires would be distributed, as well as the method for distribution and collection; 5) the individual who would be able to provide statistical information about the school's faculty and students.

The project director also requested that a memorandum be sent from the dean to faculty, staff, and students conveying information about the study. All the schools requested receipt of a suggested draft memorandum (Appendix 3.11). The purpose of this memorandum was to facilitate contacts with individuals at each school, and to establish the conditions most conducive to gathering comprehensive and valid information.

Data collection was completed during February and March of 1980. Approximately two to three days were spent at each school by the project director and the research assistant. Two schools were visited each week, with the exception of two weeks in which one school per week was visited. In most cases, the researchers were "housed" in a law school office and had access to a telephone. With a few exceptions due to illness, the schedules were followed.

Sample

Ten law schools were selected for on-site interviews on the basis of two dimensions: 1) law school ranking according to number of graduates in teaching "producer" status, and 2) number and proportion of women on the law faculty. After discussion with the project consultants and advisory committee members, and in addition to a review of literature on characteristics of law schools, these dimensions were chosen as the salient characteristics which might best distinguish one law school environment from another within the context of the research issues.

The law school ranking according to number of graduates in law teaching was determined on the basis of data from the American Bar Foundation study on law professors (Fossum, forthcoming). Fossum found that in the 1975-76 academic year, 60 percent of all U.S. law teachers were recipients of JD degrees from only 12 percent of U.S. law schools. These 20 "producer" schools are Harvard, Yale, Chicago, Columbia, Michigan, Stanford, Berkeley, Pennsylvania, New York University, Virginia, Texas, Georgetown, Duke, Wisconsin, Northwestern, Iowa, Illinois, Minnesota, Cornell, and George Washington. All other 150 ABA-approved law schools not included in the above list will be termed "other" schools throughout this report (see Table 1.3).

The dimension of "number and proportion of women" was selected as the best indicator of variation in sex equity. A range of schools were chosen on this dimension, as determined on the basis of information in the 1978 ABA Review of Legal Education. The limitation of this dimension is that the range of number and percentage of women on law school faculties in the total population is small. Few schools have more than five women faculty members (see Chapter I), and the percentage of women is only above 25 percent in a few cases. In addition, there are schools with high percentages but low numbers of women (i.e., schools with small faculty) and vice-versa (schools with a large faculty which may have more women, but they constitute a smaller percentage of the faculty). In the selection of schools on this dimension, then, an attempt was made to have the higher percentages reflect higher numbers of women, and the lower percentages, lower numbers of women, insofar as this was possible within the limited range. All schools were selected to ensure that there was at least one woman faculty member.

These two dimensions yield, in fact, two continua rather than categorical divisions. Using the dimensions as categories, however, the basis for sampling the schools can be diagrammed:

	Lower percentages of faculty women	Higher percentages of faculty women
"Producer" Schools	2 Schools	2 Schools
"Other" Schools	3 Schools	3 Schools

The number of schools (10) was decided on the basis of project time allotted for data collection and financial constraints.

Both public and private schools were represented in the sample, as well as a range of other "types" of schools, e.g., urban/rural. In order to protect the identities of the schools, these types have not been specifically delineated. The sample of law schools was not intended to be statistically representative of the national population of law schools. The selection was made, however, to represent as fully as possible the full range of factors which might influence the school's integration of women into teaching.

The chairpersons of the faculty recruitment committees and of the promotion and tenure committees were selected for interviewing, since they were the individuals most likely to have access to current information. At least one other committee member was interviewed in addition. When there was a woman on the committee, she was chosen as the additional person. Otherwise, a man was chosen at random. When there was only one committee at a school to conduct all activities related to recruitment, promotion, and tenure, at least three of the committee members were interviewed. All deans were interviewed by the project director.

Data Analysis

In some analyses, the 10 schools were subdivided into three categories on the continuum of "% women faculty" members. These categories were determined by dividing the total number of full-time women on the school's faculty over the last five years by the total number of full-time faculty during that period, in order to obtain the mean percentage of women on the faculty. (The RLE was used to obtain these figures for percentage calculations.) The resulting three categories are labeled: 1) "lower % women faculty" which includes three schools with mean percentages from four percent to seven percent women; 2) "middle % women faculty" which includes four schools with nine percent to 12 percent women; and 3) "higher % women faculty" which includes three schools with 16 percent to 19 percent women.

Table 3.1 presents the total number of faculty members and the percentage of women by "% women faculty" categories over the last seven years. Figure 3.1 is a graph of these percentages, showing the three groups of schools on this categorical definition. During the period from 1973 to 1979, the absolute growth for the percentage of women in the "lower" schools (from four to seven percent) was half that in the "higher" schools (from 13 to 19 percent). It appears that the growth in percentage of women in the "lower" schools stems partly from a reduction in the total number of full-time faculty. The percentage of women in the "higher" schools increased six percent while the total number of faculty remained approximately the same. The increase in women of five percent in the "middle" schools occurred with an increase of 25 in the total number of faculty members.

The purpose of these categories was to determine whether those schools with consistently lower percentages of women faculty might differ in any way from those with consistently higher percentages of women faculty. It should be noted that both "producer" and "other" schools were included in each of the three "% women faculty" categories.

Throughout the discussion of the results, it must be kept in mind that the sampling method was not random and that the number of sample schools constitutes only six percent of the population of law schools. Because of the careful selection of the schools, it is believed that the findings, while not necessarily conclusive, are indicative of the parameters in the total population.

FINDINGS

In this section, information about the distribution of women, faculty salaries, student enrollment, and teaching contact hours is presented.

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Distribution of Women

Table 3.2 presents the percentage of women on the sample school faculties at the assistant, associate, and full professor ranks. These figures were based on an analysis of faculty titles in the 1979-80 AALS Directory of Law Teachers. From the total percentage figures, it is clear that the highest percentage of women is at the assistant professor rank. Within the "% women" categories, however, a somewhat different pattern emerges (Figure 3.2). The "lower" and "middle" schools have small percentages of women at the professor and associate ranks. The "middle" schools jump to 38 percent women at the assistant level, while the "lower" schools' percentage is only half of that (18%). The "higher" schools, on the other hand, have more than double the percentage at the professor level, and the percentage at the associate level is similar to that at the assistant level. These percentage patterns suggest that those schools with a consistently higher percentage of women over the past five years have opened the ranks above the level of assistant professor to women. In other words, the "higher" percentages of women is not totally accounted for by the higher percentage at the lowest rank. The "middle" schools might be termed "transition" schools: the percentage of women at the associate and professor levels may be lower because of more recent hiring of women at the assistant rank.

These percentages might be more clearly understood within a more general context of the distribution of ranks over school faculties. Figure 3.3 shows the percentage of the total faculty constituted by those at each faculty rank. Full professors constitute at least 20 percent more of the total faculty at the "lower" schools than they do at either the "middle" or "higher" schools. In other words, there are fewer than 20 percent "entry level" positions in the "lower % women" schools, whereas the percentage of such positions is approximately twice that at "middle" and "higher" schools. This suggests that possibilities for hiring women at this level at these schools, as measured simply on the basis of entry level positions, are fewer.

The percentages of women with titles other than assistant, associate, and full professor are presented in Table 3.3. The total numbers are not large; however, the percentage with these "other" titles who were women tended to be larger than the percentage with tenure-track titles who were women. The few women professors emeriti reflect the small number of women in law teaching prior to recent years.

Table 3.4 presents a comparison of data from three sources on the number of women on the sample school faculties, by school category. The purpose of this analysis was to emphasize the difficulty of assessing the number of women in law teaching on the basis of available data. The Review of Legal Education reports the number of "full-time" faculty members. The AALS Directory of Law Teachers reports names of faculty members with titles; the figures in the table include those with titles of assistant professor, associate professor, and professor. The numbers of tenure-track and tenure women were obtained from the "on-site" visits.

The "producer" schools have the greatest discrepancy between the number of full-time women reported in the RLE and the actual number of tenure-track faculty women ascertained in the study. Fifty percent (N=9) more women are reported in the RLE than the actual number in tenure-track positions at the "producer" schools. Among the "other" schools, for only two women is this the case; the Directory number, however, is four more than the RLE.

Among the "% women faculty" categories, the discrepancies between RLE and tenure-track are more evenly distributed.

These discrepancies indicate that the RLE and Directory are not accurate sources for information on the number of women in tenure-track positions. The general pattern is that the numbers of women in these sources are inflated, and that this tendency appears to be greatest at "producer" schools. The number of women with tenure ranged from approximately 25 to 45 percent of the RLE figures. If an accurate assessment is to be made of the number of women on law faculties in a fully "integrated" status, those figures will have to be obtained from each law school in response to a specific question of "number tenured" and "number tenure-track," by sex. The fact that the total population is small makes this type of assessment particularly important, since the discrepancy could greatly affect the view of women's status in law teaching.

Percentage of Women Students

In order to determine whether the percentage of women on the faculty reflected a similar proportion of women students, the enrollment figures for 1979-80 were compiled by "% women faculty" categories. Table 3.5 shows that the "lower" schools enrolled 10 percent fewer women students than did the "middle" and "higher" schools.

In Figure 3.4, the percentage of women students enrolled in the three school categories is shown for the last 15 years. From 1965 to 1969, the percentage of women students enrolled doubled in all three school categories. From 1969 on, the growth in the percentage of women students in the "lower" schools has equalled or exceeded that in the "middle" and "higher" schools, in eight of the 10 years.

Salaries

The mean salary and the high and low salaries for faculty members, by sex, were obtained at each school from the appropriate school official. One school in the "middle % women faculty" category did not provide salary information. The format for collecting these data was based on that used by the ABA's Law School Questionnaire for the Review of Legal Education. Included in the salary computations were visiting teachers and associate or assistant deans who teach half time or more (9/11 of such deans' annual compensation). Excluded from the salary figures were deans, librarians, faculty on leave, and those in nontenure-track positions.

The average salaries and the average high and low salaries are presented by rank in Tables 3.6 and 3.7. The same type of averages by years since obtaining the law degree are shown in Tables 3.8 and 3.9. These comparisons which control for rank and years since obtaining law degree are tentative because of the small number of women (or no women) at some levels in some schools; yet these figures do provide an indication of possible salary differences.

Table 3.6 presents the mean salaries by rank. The "discrepancy" figures were calculated by subtracting the mean salary for the women from that for the men. There appears to be little difference between the mean salaries at the assistant and associate ranks. At the full professor level, however, the mean salary for the men is greater than that for the women by more than $3,000.

Table 3.7 provides a context for examination of the mean salaries by providing an estimate of the total range of salaries. At the assistant level, there again appears to be little difference between the highest salaries for men and women. In fact, the mean low salary for women at this rank is higher than that for men by $1,286.

The pattern changes at the associate rank, however. Again, the average low salary for women is higher than men's, but the average high salary is $6,000 less than the men's. This pattern is repeated at the professor rank, except that the differences are greater. The average high salary for men is $8,000 more than that for women.

Comparing figures from these two tables, it becomes apparent that the range between the high and low salaries for men at the two upper ranks is much greater than the range in the women's salaries. In other words, there is little variation in the women's salaries; the individual salaries tend to be close to the average salary at that rank. For men at the associate rank, the average salary is closer to the mean low salary than to the mean high salary. This suggests that the salary curve is skewed with most of the men nearer the mean salary, and some of the men with much higher salaries. For men at the full professor rank, the curve skews in the other direction. The mean salary in this group is about $5,000 less than the mean high salary, but almost $10,000 more than the mean low salary. In other words, more individual men's salaries are closer to the mean high salary than to the mean low salary.

This entire pattern of sex differences is essentially repeated in the analysis of mean salaries by years since obtaining the first law degree (Tables 3.8 and 3.9). The differences here seem to be even more pronounced. The relatively large range (10 years) in two of the categories may have an impact on the differences here, if in fact, the men had been in teaching longer than had the women.

These comparisons suggest that for those new to law teaching at the assistant professor rank, sex differences in salaries did not exist. However, among those who had been in law teaching for some time or who had entered at a rank above the assistant level, sex differences in salaries did exist. These differences may be the result of earlier salary inequities, or they may result from continuing inequitable practices, or they may indicate the failure of women to keep up with men in the activities that lead to higher salaries. Whatever the explanation, the data are clear in suggesting that sex differences in salaries do exist. These data do not provide an explanation for the differences. They do, however, correspond to other data on sex differences in salary in higher education (e.g., Ekstrom, 1979; Eldridge, 1978; National Research Council, 1979.) A more accurate analysis of sex differences in salary could be obtained by the use of multivariate regression techniques (Donald et al., 1973; Pezzullo and Brittingham, 1979).

Contact Hours

Table 3.10 shows the average amount of time per week spent by faculty in classroom teaching. The means were computed for each school category by dividing the total number of contact hours across schools by the total number of teachers.

For the middle "% women faculty" category, the mean for the women is one hour less than that for the men. In general, there is no evidence from these figures suggesting that women have any greater teaching loads than men.

SUMMARY OF MAJOR FINDINGS

The 10 law schools in the sample were categorized by percentage of women faculty members over the last five years. A descriptive analysis revealed the following:

- Of the three "tenure-track" ranks (assistant professor, associate professor, and full professor) the assistant professor rank included the largest percentage of women (29 percent). Twelve percent of the associate professors were women and seven percent of the full professors were women.

- At the "higher % women" schools, 13 percent of the professors were women. This compares with 5.3 percent at the "middle % women" schools and 3.5 percent at the "lower % women" schools.

- The increase in the percentage of women faculty in the "lower % women" schools (from four to seven percent) was half that of the "higher % women" schools (from 13 to 19 percent) during the period from 1973 to 1979.

- The percentage of entry-level positions (assistant professor) at the "lower % women" schools was less than the percentage of such positions at the "higher % women" schools.

- The sample of "producer" schools (N=4) reported 26 full-time women in the RLE; the study data revealed only 17 tenure-track women for those schools. Thus RLE reported approximately 50 percent more women in full-time positions than those who were actually in tenure-track positions for this sample.

- The increase in the percentage of women students in the "lower % women" schools has equalled or exceeded that in the other schools, in eight of the past 10 years.

- There was no evidence to suggest that women have heavier teaching loads than do men, as meansured by the schools' reports of teaching contact hours.

Salary information from the sample schools indicates that:

- At the assistant professor rank, the average salary for women was similar to that for men.

- At the associate professor rank, the average salary for women was similar to that for men, but the average high salary was approximately $6,000 less for women.

- At the full professor rank, the average salary for women was approximately $3,000 less than that for men, and the average high salary was approximately $8,000 less than that for men.

- Analyzing salary data by years since obtaining the first law degree, the same pattern of salary differences emerged.

Table 3.1

Number and Percentage of Women on the Sample Full-time Faculty by "% of Women Faculty" Category, 1973-74 to 1979-80

"% Women Faculty" Category	1973-74 Total N	1973-74 % Women	1974-75 Total N	1974-75 % Women	1975-76 Total N	1975-76 % Women	1976-77 Total N	1976-77 % Women	1977-78 Total N	1977-78 % Women	1978-79 Total N	1978-79 % Women	1979-80 Total N	1979-80 % Wome
"Lower"	139	4	128	4	127	6	125	5	121	6	126	6	133	7
"Middle"	134	8	128	9	129	9	136	7	144	11	145	11	159	13
"Higher"	127	13	115	15	113	14	113	14	139	22	132	16	129	19

Note: Calculation of percentages based on number of full-time faculty as reported in the Review of Legal Education for each respective year. Percentages were determined by summing the number of women faculty over schools in each category, and then dividing by the sum total of faculty over schools in that category.

Table 3.2

Women with Full-time Tenure-track Titles on the 1979-80 Faculty of Sample Schools, by "% Women Faculty" Category (percentage of total)

"% Women Faculty" Category	Professor Total N	Professor % Women	Associate Professor Total N	Associate Professor % Women	Assistant Professor Total N	Assistant Professor % Women
"Lower"	116	3.5%	9	0%	17	17.7%
"Middle"	94	5.3%	57	5.3%	21	38.1%
"Higher"	85	13.0%	33	27.3%	20	30.0%
Total	295	6.8%	99	12.1%	58	29.3%

Note: These figures were based on an analysis of faculty titles in the 1979-80 AALS Directory of Law Teachers.

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Table 3.3

Percentage with "Other" Titles on the 1979-80 Faculty of Sample Schools Who are Women, by "% Women Faculty" Category

"% Women Faculty" Category	Clinical Instructors		Instructors, Lecturers[a]		Assistant Deans		Visiting[b]		Emeritii	
	Total N	% Women	Total N	% Women	Total N	% Women	Total N	% Women	Total N	% Women
Lower	4	25	8	13	6	33	7	14	25	4
Middle	10	30	6	67	8	50	3	0	10	0
Higher	7	71	13	39	6	33	5	0	10	10
Total	21	43	27	37	20	40	15	7	45	14

Note: Figures based on information in 1979-80 Law Teachers Directory.

[a] Also includes those with titles of "adjunct," "teaching fellow," and "research associate."

[b] Includes visiting professors at all three ranks (full, associate, assistant).

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Table 3.4

Comparison of Statistics on Number of Faculty Women, by School Category

	RLE[a]	Directory[b]	Tenure-track[c] (Study data)	Tenured[d] (Study data)
"Producer" status				
"Producer"	26	17	17	9
"Other"	28	32	26	7
"% Women Faculty" Category				
"Lower"	9	7	7	4
"Middle"	21	16	15	6
"Higher"	24	26	21	6

[a] These figures were obtained by summing across school categories the number of full-time women reported in the 1979-80 Review of Legal Education.

[b] These figures were obtained from the 1979-80 AALS Directory of Law Teachers, by summing across school categories the number of women with titles of assistant professor, associate professor, and professor.

[c] These figures were obtained from the study's investigation. It is the sum across school categories of all women in tenure-track positions, and it includes women who are tenured.

[d] These figures were obtained from the study's investigation. It is the sum across school categories of all women with tenure.

Table 3.5

Number and Percentage of Students Who are Women Enrolled in Each "% Women Faculty" Category by Class, 1979-80

	"Lower"			"Middle"			"Higher"		
	Total N	No. Women Students	% Women Students	Total N	No. Women Students	% Women Students	Total N	No. Women Students	% Women Students
Class									
1st year	1,160	336	29%	1,277	487	38%	844	343	41%
2nd year	1,126	339	30%	1,258	496	39%	861	353	41%
3rd year	1,110	297	27%	1,150	438	38%	834	324	39%
Total Enrollment	3,396	972	29%	3,685	1,421	39%	2,539	1,020	40%

Note: Calculations were based on figures for student enrollment in the Review of Legal Education. Each percentage was calculated by summing the number of women students over schools in each category, and dividing that by the sum of the total number of students enrolled in the schools in that category.

Table 3.6

Mean Salaries of Faculty in Law School Sample, by Rank and Sex

	Assistant Professor	N	Associate Professor	N	Professor	N
Men	29,436	32	32,889	49	44,521	200
Women	29,284	15	32,773	12	41,147	11
Discrepancy	152		116		3,374	

Note: Means were calculated by multiplying the number of men (or women) at a school at that rank by the mean salary, then summing those totals and dividing by the total number of men (or women) teachers at that rank. When only one person was at that rank, that salary was used as the best estimate of the average salary. When a school had either no men or no women at a rank, that school was omitted from the calculation. The number of schools in the calculations ranged from five to seven.

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Table 3.7

Mean High and Low Salaries of Sample Law School Faculties, by Rank and Sex

	Assistant Professor		Associate Professor		Professor	
	High Salary	Low Salary	High Salary	Low Salary	High Salary	Low Salary
Men	32,086	28,071	39,050	29,694	49,862	35,212
	(N=32)		(N=49)		(N=171)	
Women	31,971	29,357	32,949	30,242	41,816	38,336
	(N=15)		(N=12)		(N=11)	
Discrepancy	115	-1,286	6,101	-548	8,046	-3,124

Note: Mean salaries were computed by summing the highest (or lowest) salary at each school and dividing by the number of schools. If a school had no men or no women at a particular rank, that school was omitted from the calculation. The N's refer to the total number of people in the calculations at that rank. When there was only one person at a rank, that person's salary was used as both the high and the low salary. The number of schools in these calculations ranged from five to seven.

Table 3.8

Mean Salaries of Faculty in Law School Sample, by Years Since Obtaining First Degree in Law and by Sex

	Years Since Obtaining First Law Degree					
	0-5 Years	N	6-15 Years	N	16-25 Years	N
Men	28,301	17	35,772	123	43,594	67
Women	28,300	10	34,906	22	36,586	6
Discrepancy	1		866		7,008	

Note: Mean salaries were calculated by multiplying by the mean salary the number of men (or women) at a school in each category of "Years Since First Law Degree," then summing those totals and dividing by the total number of men (or women) teachers in each category. When only one person was in a category, that salary was used as the best estimate of the average salary. When a school had either no men or no women at a rank, that school was omitted from the calculation. The number of schools in these calculations ranged from five to eight.

Table 3.9

Mean High and Low Salaries of Sample Law School Faculties, by Years Since Obtaining First Degree in Law and by Sex

	Years Since Obtaining First Law Degree					
	0-5 Years		6-15 Years		16-25 Years	
	High Salary	Low Salary	High Salary	Low Salary	High Salary	Low Salary
Men	30,071	27,772	44,400	30,487	45,426	34,093
	(N=17)		(N=123)		(N=67)	
Women	29,160	27,440	36,252	31,735	36,519	36,519
	(N=10)		(N=22)		(N=6)	
Discrepancy	911	332	8,148	-1,248	8,910	-2,426

Note: Mean salaries were computed by summing the highest (or lowest) salary at each school and dividing by the number of schools. If a school had no men or no women in a category, that school was omitted from the calculation. The N's refer to the total number of people in the calculations in that category. When there was only one person in a category, that person's salary was used as both the high and the low salary. The number of schools in these calculations ranged from five to eight.

Table 3.10

Teaching Contact Hours of Sample Law School Faculties, by "% Women Category"

School Category	Men		Women	
	N	Mean Hours	N	Mean Hours
"Lower"	119	5.13	9	5.00
"Middle"	116	6.03	17	5.05
"Higher"	105	5.55	23	5.48
TOTAL	340	5.56	49	5.24

Note: One school in the "middle" category did not provide information on teaching contact hours.

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Figure 3.1

Percent Women on Full-time Faculty of Sample Schools, by "% Women Faculty" Category, 1973-1979

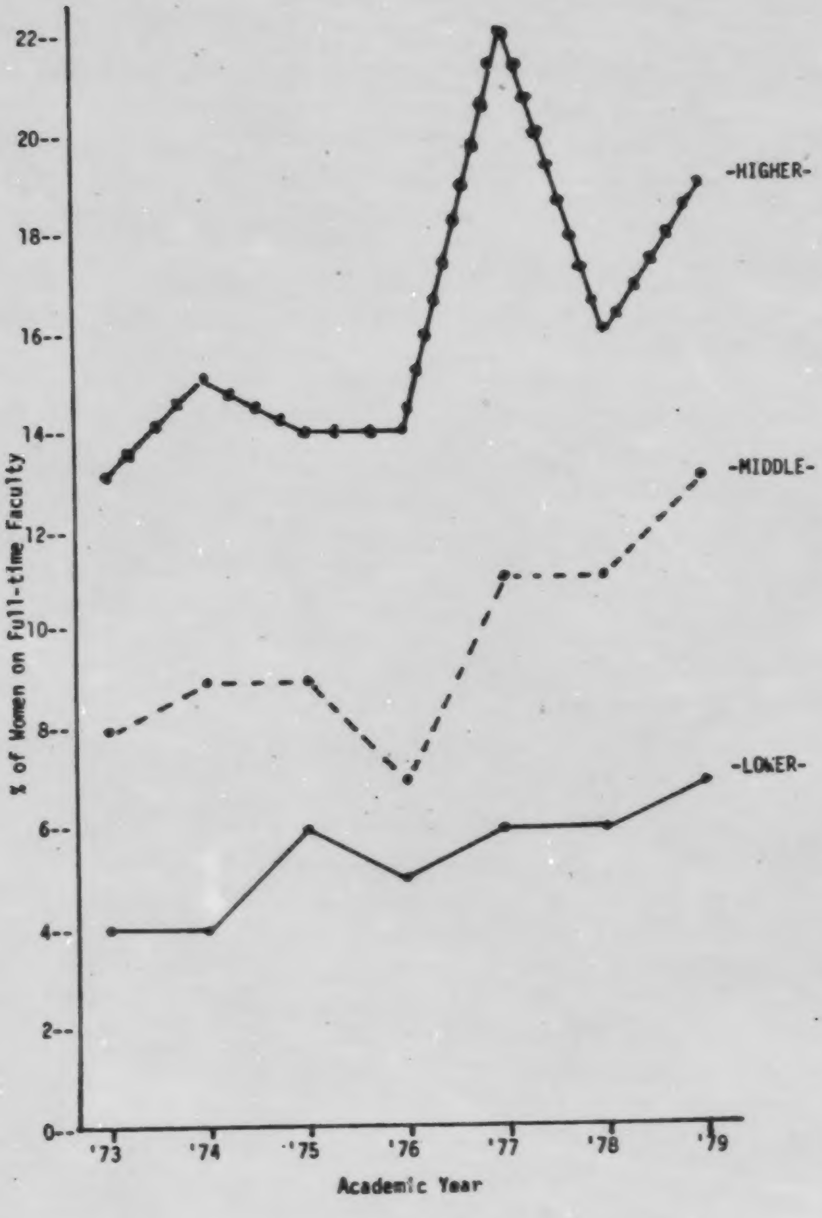


Figure 3.2
Percent of Total at Each Rank Who are Women,
by "% Women Faculty" Category

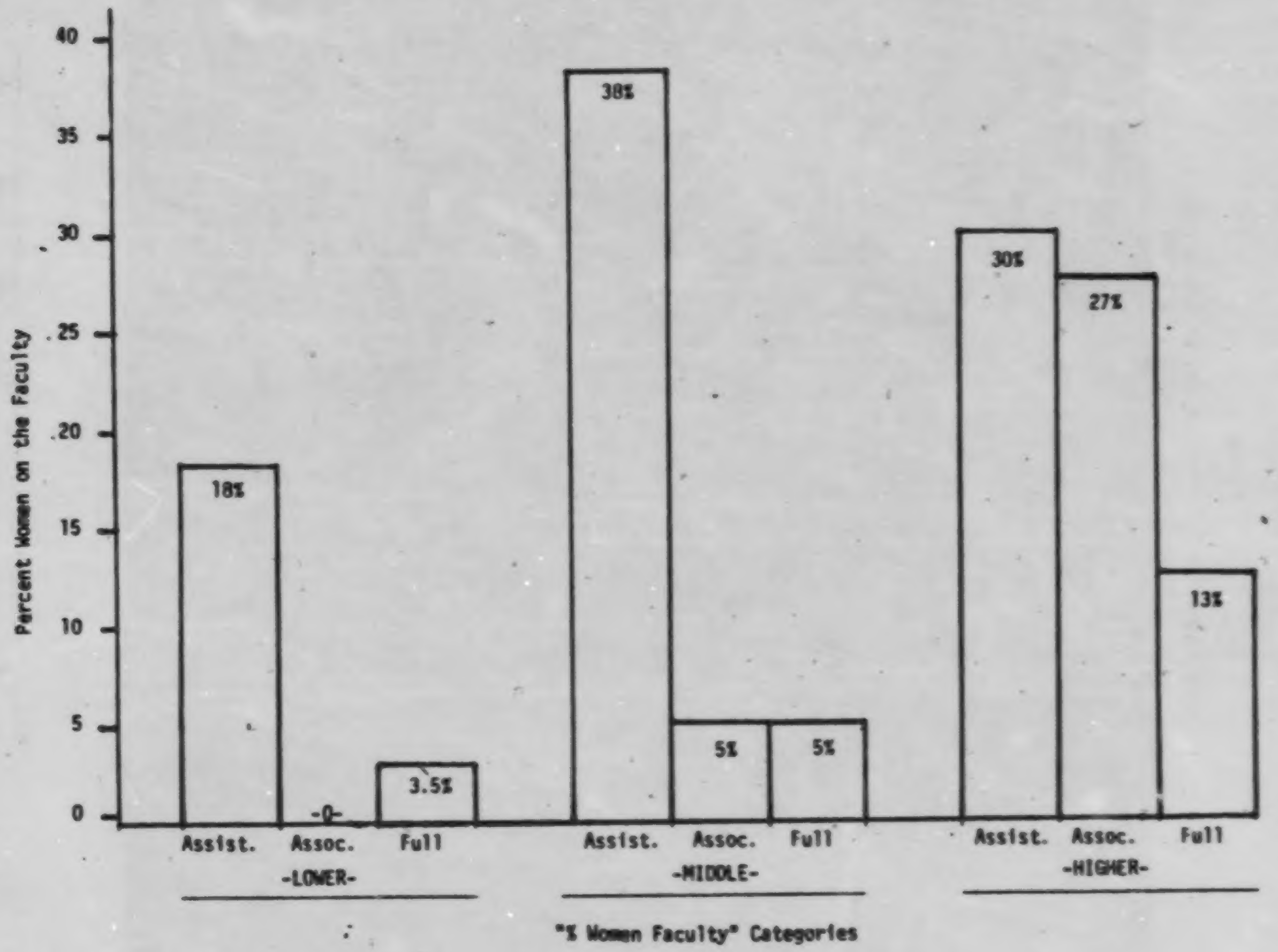


Figure 3.3

Percent of Total Faculty at Each Faculty Rank, by "% Women Faculty" Category

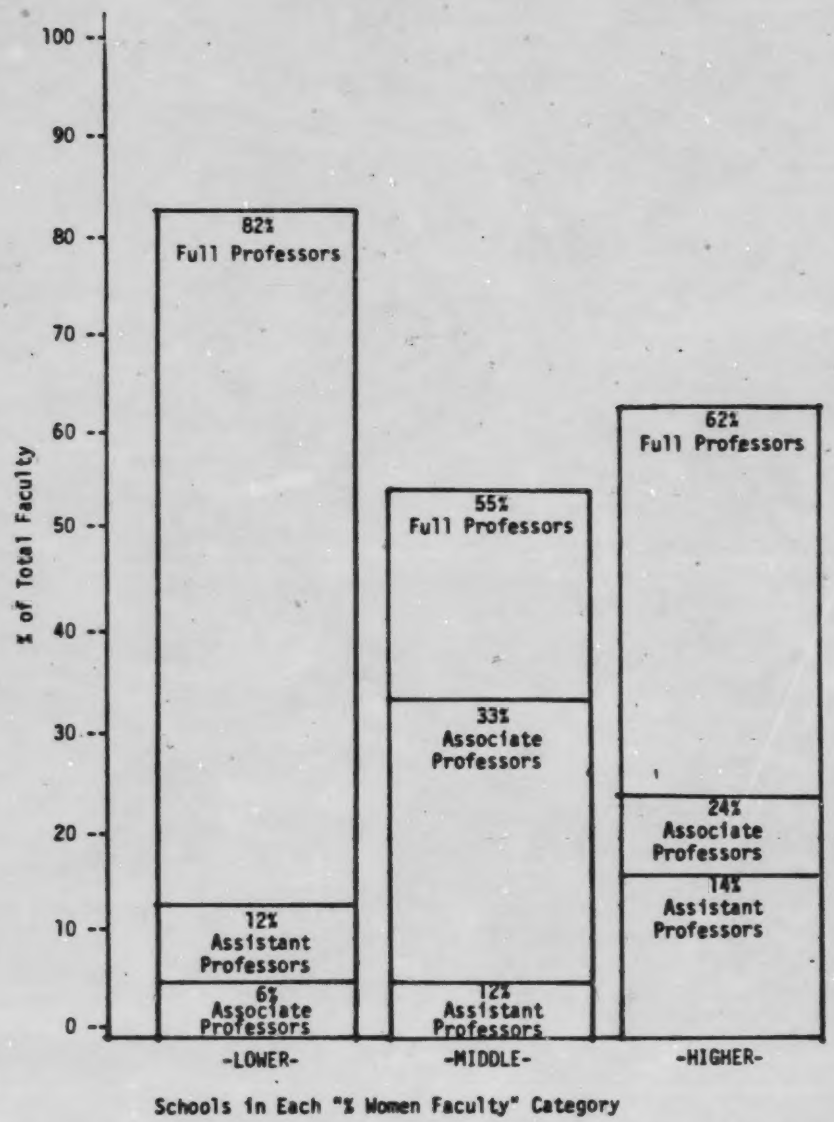
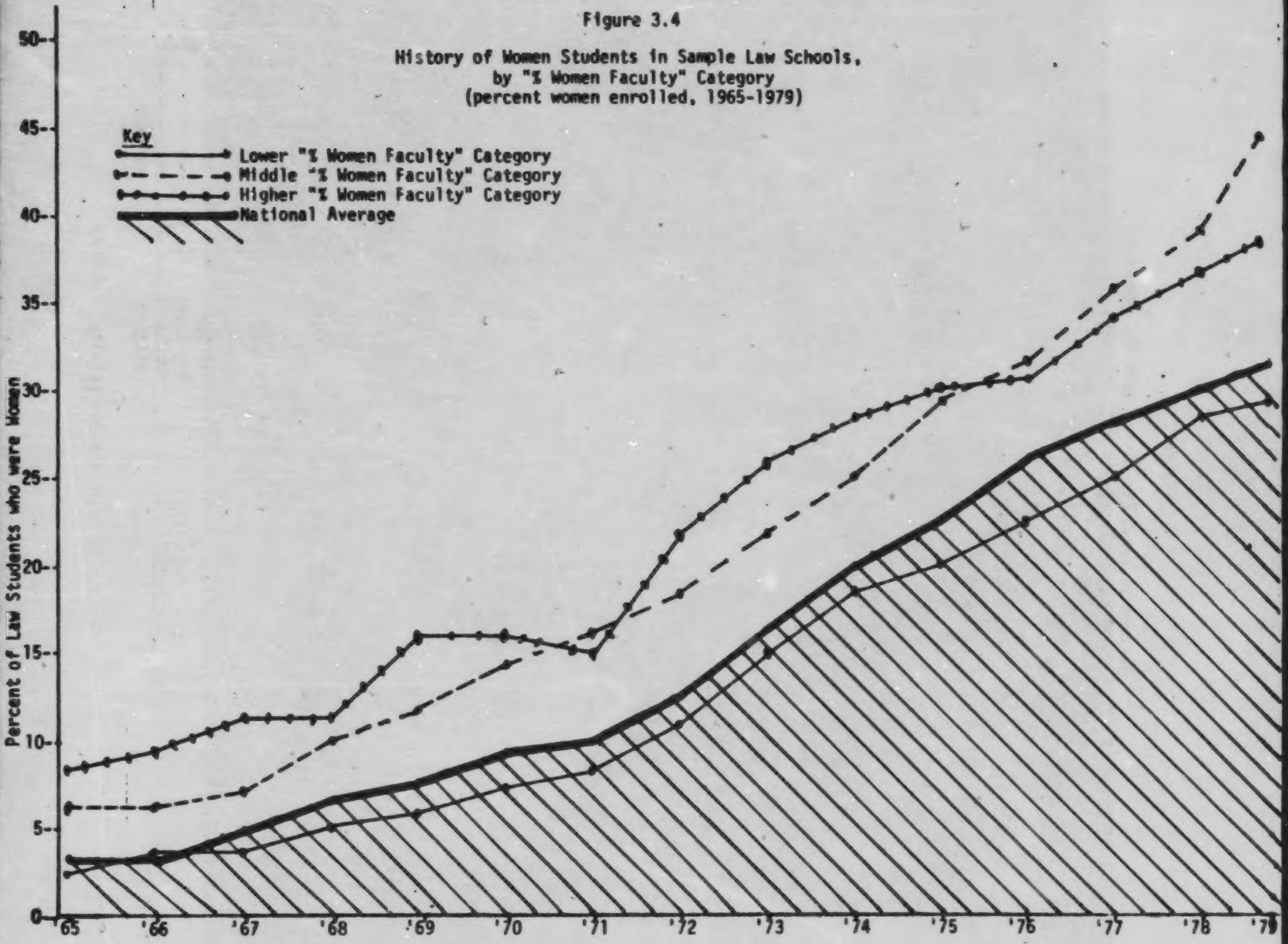


Figure 3.4

History of Women Students in Sample Law Schools, by "% Women Faculty" Category (percent women enrolled, 1965-1979)



CHAPTER IV

THE LAW FACULTY

The study of a sample of men and women law faculty members had two primary objectives. One was to determine the extent to which gender differences existed on factors related to entry into and experiences in law teaching. The second objective was to gather information about the perceptions of women's integration into the law school environment. The general approach was to interview men and women faculty members who were similar in qualifications and experience, so that those variables would not account for any differences between the two groups.

After the methodology presentation, the statistical and the anecdotal findings will be discussed. The statistical data focus on the qualifications and the current equitable treatment of men and women faculty members; the anecdotal data focus on more amorphous issues about the integration of women into law teaching.

METHODOLOGY

Instrument

Interview questions were developed concerning entry into law teaching, teaching activities, research activities, general perceptions of law teaching, perceptions of the law teaching environment at their current institutions, and perceptions of sex differences. Appendix 4.1 contains the interview questions in a form condensed from the instrument. The questions were developed from: 1) a review of the literature concerning the variables of importance in such a process, 2) preliminary discussions with women law teachers about the important issues, and 3) communication with advisory committee members and project consultants knowledgeable about the issues. Some items contained scaled answers; others were open-ended.

Questions concerning demographic data, additional information about professional activities, and scales to measure the importance of career goals and expectations were gathered on a short form (Appendix 4.2). The purpose of gathering these data separately was to reduce the amount of time in the actual interview situation.

Procedure

The interviews with faculty members, which were usually conducted in their offices, lasted from approximately 40 minutes to two hours, with the majority continuing 20-40 minutes beyond the hour requested. Initial interviews with faculty members were tape-recorded in many instances to ensure that all significant data were being recorded accurately; assurance was given to the respondents that all tapes would be erased following this reliability check. As experience with the interview circumstances increased, this practice was discontinued. The short questionnaire was given to those in the faculty sample at the interview, with a request that they send the completed form either to the project's "contact person" at the school or to the project's Washington office.

Sample

An attempt was made to include all women who were full-time teachers with "tenure-track" titles (professor, associate professor, and assistant professor) at the 10 law schools. All who were asked agreed to do so, although three had to cancel at the scheduled interview time because of illness. In several instances, women were on leave from the school and were not contacted. Each of the women in the sample was matched with a male faculty member at the same law school on two variables: 1) year graduated from law school, and 2) "producer" status of the law school of origin. This information was obtained from the AALS Directory of Law Teachers and from individual school catalogues. The purpose of the matching was to eliminate the possibility of sex differences on the dependent variables due to differences in experience and education.

The first variable, year graduated from law school, was considered an indicator of the potential number of years of legal experience. In each case, the year of birth and the record of professional experience in the Directory were used as verification of this indicator, in order to eliminate the possibility of differences within the matches due to a law degree obtained later in a career, an interrupted legal career, or differences in length of time in teaching.

Faculty were also matched according to the "producer" status of the school from which they received their JD. The "producer" status of the 20 "producer" schools was further delineated, in order to obtain a more precise match. The data from Fossum's study (forthcoming) indicated that in 1975-76, five law schools (or three percent of all law schools) had graduated 26 percent of all the law teachers. Thus three categories of law school types were used for matching faculty on this basis: Category 1: the top five "producer" schools (Harvard, Yale, Chicago, Columbia, Michigan); Category 2 - the 15 other "producer" schools; Category 3: all "other" law schools (Table 1.3).

The "matching" procedure worked in the following way. The category of the law school from which the woman faculty member received her degree was ascertained, and a man was selected who had a JD degree from a school in the same category, graduating within two to three years of the woman's graduation year. In one instance, a woman from a "category 2" school was matched with a "category 1" man because there was not a "category 2" man approximating the "year of JD" criterion. A match was also attempted on other law degrees (e.g., LLM) and other graduate degrees (e.g., PhD). In five cases, blacks were matched with whites.

The total number in the "total matched" faculty sample was 36 women and 36 men. The total matched sample contained some full-time women who were not in tenure-track positions. Typically, they were clinical teachers. For some analyses, the matched sample was restricted to those cases in which the woman was tenure-track, hereafter referred to as the "tenure-track matched sample." In two instances, the men were not tenure-track. In another instance, both partners held nontenure-track positions for 1979-80 but received tenure-track appointments for 1980-81. There were 31 men and 31 women in the "tenure-track matched" sample.

Sixteen women (hereafter referred to as "additional" women), who were not matched, were included in the anecdotal analyses only. They were included to expand the base of the women's perceptions of the law teaching environment. Nine of these were tenure-track women for whom matches were not interviewed, either because their matches cancelled due to illness or because matches could not be obtained according to the two criteria. The remaining seven were nontenure-track women. Thus the "total sample" was 36 men and 52 women.

An analysis of demographic information revealed that men and women in the total matched sample were similar in many respects. The mean age for both men and women was 37.8 years (sd=8.0 and sd=8.4 respectively). Table 4.1 reveals similarities in age distribution: 75 percent of both men and women were between ages 30 and 39. Eight men and five women were black.

Tables 4.2-4.4 present information about the family status of faculty members. Table 4.2 shows that 22 percent of both men and women were single. Sex differences, however, are suggested when examining the distribution of the remaining percentage. Twenty-two percent more men than women were married, while 22 percent more women than men were divorced or separated.

Table 4.3 reveals that 13 percent more women than men had no children. When the age of the children was analyzed, a significantly greater proportion of men than of women had children in the 5-12 age group.

Table 4.4 presents the occupation of the married individuals in the total matched sample. Over half of the married women (53 percent) had attorneys as spouses, while only 17 percent of the men did. About the same proportion of men and women (12 percent and 13 percent respectively) were married to a college faculty member. "Other professions" represents between one third (for the women) and one half (for the men) of the remaining spouses, and includes occupations such as teacher and journalist.

Men and women both averaged about 11.5 years out of law school (M=11.3, sd=6.0; M=11.6, sd=7.4, respectively).

To summarize the sample description, men and women were similar in age, race, and years since graduation. There were, however, patterns indicating that more men than women had children, and that a greater proportion of the married women than the married men had spouses who were lawyers.

Data Analysis

Since a primary interest was tenure-track teachers, the nontenure-track women and their matches were omitted from analysis for sex differences in qualifications and "equity" variables (e.g., rank, salary, and course load). The total matched sample was used only for demographic and general teaching preference information. The "additional" women were included in the computations of percentages related to the anecdotal data. Thus the sample size varies for each analysis according to the particular question: 31 men and 31 women in the tenure-track matched sample, 36 men and 36 women in the total matched sample, and 36 men and 52 women in the total sample.

The SPSS program was used for all computer data analysis. Answers to the open-ended questions were either categorized and reported as percentages, or they were tallied and used as anecdotal information.

FINDINGS: EQUALITY OF QUALIFICATIONS AND CURRENT EQUITY

In order to assess whether men and women were being treated equitably by the law schools, it was important to ensure that the men and women in the sample were similarly qualified. Therefore, comparisons were made between the two groups on their qualifications as a validation of the matching process in the sample selection; these results are reported in this section, followed by a comparison on the indicators of equitable treatment.

Equality of Qualifications

The intent of using the two "matching" variables of year of JD and "producer" status of school of origin was to choose a sample of equally qualified men and women faculty in tenure-track positions. In order to assess the validity of this technique, their "qualifications" as law teachers were examined for any sex differences. These "validity analyses" used only the tenure-track matched sample. The two types of qualifications analyzed were academic qualifications and professional experience.

Academic Qualifications

Tables 4.5-4.9 provide information about the men's and women's comparative academic qualifications, revealing similar qualifications. About half the sample of both men and women graduated from the top five "producer" schools (Table 4.5). Over 80 percent of both the men and the women graduated in the top third of their class (Table 4.6). The table also suggests a greater percentage of women than of men were at both the upper and lower extremes of class rank. Fourteen percent more women than men graduated in the top 10 percent.

Table 4.7 reveals that on the other important variables (law review and Coif), men and women were similar. About 60 percent of both men and women were law review; approximately a quarter were members of Coif. The same percentage (13 percent) of men and women also earned LLM degrees. Thirteen percent more men than women worked on other law journals when they were students. However, there is no evidence in the literature indicating that this is an important qualification for law teaching. Thus the men and women were similarly qualified in academic background.

Professional Experience

Several different aspects of professional experience were examined. Table 4.8 reveals that men and women were similar in almost all their professional activities. The average amount of time spent in full-time teaching (including both tenure and nontenure-track) did not differ significantly between men and women (7.9 and 6.4 years respectively). Slightly less than half of both the men and the women (42 percent and 48 percent respectively) had private practice experiences. The only significant difference was between men and women in other legal experience.

Table 4.9 shows that both men and women averaged about six years full-time teaching at their current school (tenure-track only). This similarity is consistent with the similar average time in all full-time teaching (Table 4.8).

Publication rates are presented in Table 4.10. Ten percent more women than men in the tenure-track matched sample had not published any articles (32 percent and 22 percent respectively). Eighteen percent more men than women published more than one sole-authored article (63 percent and 45 percent respectively). The same percentage difference existed between men and women who had co-authored at least one article (44 percent of the men compared to 26 percent of the women).

These indications that fewer women tend to publish than men are called into question when book rates are analyzed: five percent more women published one sole-authored book and an equal percentage of both published more than one sole-authored book.

An analysis of only those tenure-track but not tenured faculty members revealed similar patterns. These publication data should be viewed with caution, however. Added to the general caveat of small sample size is that concerning definition of publication. In the short questionnaire (Appendix 4.2), it was not clear whether articles on other than traditional legal topics, or in other than traditional legal publications such as law review should have been reported. These data, however, suggest gender differences in the percentage who publish articles. This finding demands further attention.

In general, with the possible exception of publications, the men and women in the tenure-track sample seem similarly qualified in academic qualifications and professional experience.

Current Equity of Tenure-track Faculty

There are several methods of assessing the extent to which men and women faculty are treated equitably. One measure is current faculty rank. Table 4.11 reveals that the distribution across ranks was similar for men and women; the only difference was one woman at the assistant professor rank.

Another measure is tenure status. Thirteen of the 29 tenure-track men (45 percent) and 12 of the 30 women (39 percent) had tenure. Of those, the mean number of years tenured for men was 7.54, compared to 7.36 for women. Thus a comparison of the tenure status of men and women suggested no differences.

Years spent at each rank is also an important measure of equity. Table 4.12 shows the mean number of years, by sex, at each rank at the current school. Among those who had spent time at each rank at that school, there were no sex differences.

Among those who had been assistant professor at any school, the mean number of years at that rank was 2.75 for men (N=22) and 2.42 years for women (N=18). Among those who had been at any school as an associate professor, the mean number of years at that rank for men was 3.97 years (N=17) and for women was 4.33 years (N=15).

Several other more subtle measures of equity also suggest similarities. Table 4.13 and 4.14 present data on hours spent in faculty activities. Table 4.13 shows that men and women spend an average of approximately six hours in class and six hours in administrative activities per week. T-tests on these two variables showed no significant differences. The standard deviations, however, suggested that there may have been more variation among the women than the men in time spent in these activities.

Table 4.14 presents data about time allocated to activities in which individuals tend to have more discretion. The activities in 4.14, however, may still be indicative of equitable institutional demands. Men devoted about 13 hours per week to research and writing, while women only spent about 7.5 hours on similar tasks. Standard deviations suggested more variation among men than among women in this regard. However, women used about 21 hours per week compared to about 15 for men in class preparation. These trends are close to significance at the .05 level and probably would be significant with a larger sample. While men and women both reported an average of approximately five hours a week with students, the standard deviations suggested more variation among the men than among the women.

Table 4.15 reveals that with one possible exception, men and women received similar research resources. Most had student assistants and about half received funding from grants. Twenty-three percent of men and of women reported receiving reduced teaching loads for research purposes. The one possible difference concerned paid research leave: 29 percent of the men compared to 15 percent of the women reported receiving this resource.

Most men and women were satisfied with the courses they taught and the time of day they were teaching, given institutional constraints (e.g., night school; Table 4.16).

Thus similarly qualified men and women in this sample appeared to have had equal treatment by the institution in classroom and administrative demands and in promotion and tenure rates. With one exception, resources for research appeared generally similar for both groups.

FINDINGS: OTHER DATA ON WOMEN'S INTEGRATION INTO LAW TEACHING

Factors other than the equity variables described above were also an important focus of the study: gender differences in motivations to teach law, entry to law teaching, perceptions of women's integration into the current institution, and explanations for the current level of women's integration. This section presents the interview responses on these issues.

Because of time constraints during the site visits, some of the questions discussed in the subsequent sections were not asked. For this reason, in some cases numbers rather than percentages were reported. Furthermore, many respondents qualified their initial answers in response to questions on perceived sex differences. The general rule followed was that if there were any indication of a perceived difference, it was coded as such. Some anecdotes were reported according to "% women faculty" categories as defined in Chapter III.

Motivation to Teach Law

Several questions in the study were designed to identify potential sex differences in motivation to pursue a career in law teaching. The majority of both the men (28 of 36) and the women (29 of 36) considered law teaching the most preferred career option at the current time. Eight men and six women indicated that they were unsure or preferred another type of position.

As with the applicant sample, motivation was measured by a "career goals and expectations" scale. On a Likert-type scale, a rating from 1=no importance to 4=great importance was assigned to the importance of various goals, and 1=unlikely to 5=have already achieved this goal to the expectations for the achievement of those goals. The results are presented in Tables 4.17 and 4.18. None of the tests for differences between the means was significant.

The three most important goals for men and women were: having colleagues' respect, transmitting legal knowledge, and helping students. The least important goal for both groups was to attain a top administrative position. Both men and women thought that research and writing was important, and both expected to achieve their goals. This finding is notable in light of the fact that the men tended to spend more time in research and writing activities.

A measure of "self" as a law teacher and perceived "ideal law teacher" was used on the premise that a discrepancy between these two would indicate degree of motivation (Appendix 4.2). Only one significant difference was revealed. On a three-point scale (0=not important, 1=somewhat important, 2=very important), men considered being "competitive" more important for an "ideal" law teacher than did women (t=2.79, df=62.39, p<.01). The women did not differ, however, in the extent to which they thought they possessed the "competitive" characteristic. There was little variation among the ranking of importance of these characteristics;

the most important for both groups was "analytic ability," and the least important was aggressiveness. There was also little variation among these characteristics in terms of the degree to which individuals thought they possessed them. The highest ranked "self" characteristics for both groups were "honesty" and "analytic ability," the lowest was "aggressiveness." Thus there was no evidence from responses to these measures to suggest that women's self-perceptions were different from men's in relation to perceived "ideal" law teacher.

Another way in which motivation was measured was to question respondents about future plans in law teaching. When asked whether they wanted to achieve tenure, 18 of the untenured men and 17 of the untenured women reported that they did. Of these, 68 percent of both the men and women (13 men and 14 women) indicated that they expected to receive it. The majority of both groups (32 men and 29 women) planned to remain in law teaching throughout their career or return to law teaching after other practice experience.

In conclusion, men and women faculty in this sample appeared similar on the measures of motivation to pursue law teaching as a career.

Entry to Law Teaching

Faculty members were asked questions about their own entry to law teaching and about their perceptins of gender differences in the entry process. This twofold approach served to determine the extent to which the individual experiences were similar to individual perceptions about the process.

Individual's Entry to Law Teaching

Faculty members' entry into law teaching examined several different factors: 1) factors related to entry, 2) job-search activities, and 3) job-search results.

Factors related to entry. Three different questions focused on factors related to entry, only one of which revealed significant differences. When asked whether they had received information about law teaching as a career option when they were students, more men than women in the total matched sample reported that they had received information. Sixty percent of the men (21 of 35) but only 24 percent of the women (eight of 34) received such information ($X^2=7.98$, df=1, $p<.005$).

Respondents were asked whether they had role models for teaching (defined as people whom respondents tried to emulate in their role as law teacher). Fifty-eight percent of the men (21 of

36) compared to 38 percent of the women (12 of 32) indicated that they did. Only two of these 12 women reported same-sex role models. While this 20 percent difference between the men and women was not significant when tested, it may be indicative of a difference which would be significant with a larger sample.

There was no difference between the percentage of men and women who had had "sponsors." The question was designed to identify people who had provided help to the respondents through recommendations or by introducing them to people who could help them gain entry to law teaching; in other words, it focused on a less intense relationship than the "mentor" relationship. Fifty-three percent of the men (19 of 36) compared to 60 percent of the women (21 of 35) reported having sponsors. Five of the 21 women had sponsors who were women.

Job-search activities. Table 4.19 reveals that about 75 percent of both men and women decided after law school to enter law teaching. Women tended to decide both earlier and later than did men: 10 percent more women than men decided before law school, while 15 percent more women than men decided five or more years after law school.

For those in the tenure-track matched sample, a question was asked about the primary job-search method for their first full-time teaching position. No sex differences were revealed. A quarter of the total group (18 of 72) reported that they essentially had no job-search, i.e., they had been contacted by someone at the school. About a quarter (19 of 72) reported using AALS channels. Among those who were in their second full-time position, the percentage reporting "no search" rose. Forty-two percent of those who had a second position (8 of 19) reported no search.

The most often-cited initial contact with the school where they first taught was a personal contact. Thirty-six percent (26 of 72) reported this channel, whereby they had a friend on the faculty or one of their professors knew someone there. An additional 29 percent (21 of 72) reported a previous affiliation with their institution, having received their law degree there or having taught part-time. Seventeen percent (12 of 72) had written directly to the schools, without using contacts or attending the Recruitment Conference. Only 11 percent (eight of 72) had attended the Conference. These data indicate that the majority of individuals in this sample had contact with the school before their application.

Twenty-four of the 52 women while only eight of the 36 men volunteered that they probably would not have entered teaching at their current institution had they not been encouraged by individuals somehow affiliated with their current institution (e.g., deans, faculty members, women's groups, faculty at other schools who were influential at the current school). Twelve of these women were at "high women" schools, eight were at "middle women," and four were at "lower women" schools. This finding suggests that women's interest in law teaching was not as well-defined as men's before input from other sources was provided. It also suggests that the "% women faculty" status of a law school may be related to the extent to which its representatives actively recruit women who have not yet entered themselves into the application process.

Job-search results. The similarities in job-search activites were reflected in similar job-search results in the total matched sample. Both men and women received an average of two job offers during their first job search. Among those who were at their second institution, men received about six offers the second time; although women received an average of about one more, the difference was not significant. The majority of the tenure-track matched sample took tenure-track positions in their first full-time teaching jobs (27 of the women and 25 of the men).

These findings on the individual's entry to law teaching suggest that the greatest differences between men and women law teachers occur at the earliest points in time. There are indications of differences in receiving information and having role models while in law school. Yet once the decision was made to enter law teaching, the job-search activities and results were similar for men and women. The one possible exception to this concerns the extent to which a law school representative influenced an individual's decision to teach at a specific school: the data suggest that more women than men were so influenced.

Perceptions of Gender Differences in the Job-getting Process

The previous discussion suggests that there were few sex differences in the job-getting process for the men and women who ultimately entered law teaching. It does not, however, address the extent to which sex differences exist in the "filtering" process; in other words, even though the men and women who obtained a faculty position may have had similar experiences, the men and women who did not "survive" may be very different from their male counterparts. In order to assess whether any such differences were perceived by faculty, they were each asked whether they thought the job-getting process in law teaching was different for men than for women. There appeared to be no sex differences in the responses to this question; 72 percent of the men (21 of 29) and 75 percent of the women (18 of 24) indicated that there were differences.

The most commonly noted difference was that schools were making concerted efforts to identify women law teaching candidates (10 women and nine men). Several people, however, noted that, while special efforts are being made to identify women candidates, the hiring standards were not being lowered; these women were judged by the same standards and were expected to meet those standards in the same way as the men. Others, however, noted that standards might be applied differently. One man at a "lower women" school observed, "Any woman who shows signs of life is subject to intense scrutiny by the appointments committee, the kind that a man with the same qualifications would not get." One male faculty member also noted that different standards served to eliminate some qualified women; he commented that a woman's personal life may be subject to more discussion than would a man applicant's private life. Some suggested that this concern with women's personal life might be due in part to a fear that women's personal commitments will endanger their professional commitment. One male recruitment committee member noted that "the rate of 'no shows' among women law teaching applicants tends to be high." He explained that the fact that men applicants more than women tend to keep their appointments for job interviews suggested to him that men were more committed.

Several faculty members felt that the hiring criteria did not adequately serve the legal community, since they identified a personally and professionally homogeneous lot. Several people noted that more broadly defined criteria might bring in qualified individuals who have not taken the traditional path to law teaching, a change which might incidentally bring in more women. One man noted that this less exclusionary policy might encourage highly qualified women to consider law teaching who might not otherwise do so. These broader criteria, it was asserted, might integrate more women for several reasons. First, some noted that many highly competent women, perhaps more so than men, did not attend the most "prestigious" law school to which they were accepted, nor did they tend to compete for law reviews. Furthermore, until recently, judicial clerkships appeared unaccessible to women because some judges clearly indicated they would not accept women clerks. One woman also suggested that increased examination of public interest practice (rather than sole attention to corporate practice) would attract more women without lowering standards. A man noted:

> It is unlikely that the "top-five-percent/clerkship/private firm" route [is a] sufficient indicator of the pool of talent, since [many] bright women have not developed along these lines, but if they are looked at objectively, they have much to offer."

There seemed to be agreement that the official policies of faculty recruitment committees encouraged greater attempts to identify qualified women. Yet these preceding comments about narrow criteria, as well as others which follow, suggest that the informal processes may be operating to women's detriment.

Several people (three men and seven women) noted that, even though women may have sponsors in a superficial sense, they are not "plugged into the 'old boy's network' of mentoring" in the same way as the men. One "mentored" male at a "producer" school explained his mentoring relationship when he was a pupil at a "producer" school:

> I was a fair-haired boy and if you're a fair-haired boy, it's easy to find a mentor....My mentors did many things. They talked me up to their colleagues while I was still a student; they got me into advanced seminars while I was still a student. They wrote letters recommending me for a clerkship. In the elite system, you don't do anything except tell the mentor you want to go into teaching and he takes the responsibility for peddling your name around. This mentoring goes on even after you get you first academic job, for tenure and upward mobility purposes. Especially with regard to people reading your research. If you don't have a mentor, you're at a disadvantage. You should always have one sympathetic reader. It also helps if you learn to act like a law professor.

Another frequent comment focused on what might be labeled the law school's "half-hearted" attempts to hire women. Some faculty members identified a school practice to offer positions to women on terms they thought the women would not accept. One woman, for example, reported being offered a position at a "producer" school with few women on the condition that she could only teach a course on sex discrimination. She rejected the offer. Two other women in the sample were offered positions of "unsatisfactory" status (a tenured woman at one school was offered a nontenured position; the other woman was offered a clinical professorship) and each accepted only after more satisfactory offers were made.

One woman recalled a discussion with an administrator at a school with few women on the faculty. He consistently made comments such as: "We're not discriminating against women, but on the other hand, we don't want to lower our standards." The woman indicated that this attitude that hiring more women implied lowering standards eliminated her interest in the school. Another woman noted that whenever a woman candidate was being considered, someone on the faculty invariably raised the question of whether they fulfilled the criteria, a question which she felt would not have arisen in cases of men with similar qualifications. An additional woman stated that a recruitment committee might fail to identify qualified women for consideration, then "justifiably" reject those less qualified who were interviewed.

While these methods were perceived as intentional discouragement to women, people noted other factors in the job-getting process which may unintentionally operate to women's disadvantage. One often-cited observation was that the type of characteristic which tended to make positive impressions on recruiting committees ("aggressiveness, glibness, and flamboyance," according to one woman) might lead faculty recruiters to label women as "problems." A woman also noted that "there is a type of generosity for males that might not be available for women. When I was on the recruitment committee, they looked at a woman who got high grades at [a "producer" school], and [a male committee member] said, 'That just goes to show that grades don't mean anything.'" A man noted also that women in interviews tended to be more "self-effacing" than were men. A woman's comment on her own integration into law teaching corroborated this when she commented, "I'm intimidated by a lot of people on the faculty...but I project it onto them. When you assume you are not going to have an impact, you probably won't." A woman on a "higher women" school recruitment committee related other "feminine" characteristics which might work against women applicants:

> Women...violate people's expectations for what a law professor should look like: [they] don't project and aren't strong enough. These are real concerns they face in teaching. Even in good faith recruiting efforts, these perceptions operate. [There is a need to] have more women to solve the problem...[so that] it's not possible to retain the stereotypes.

A similar problem for women in the job-getting process involves the recruitment activities of faculties with few women. Some faculty noted that highly qualified women (according to traditional criteria) were "snatched up" in a way that similarly qualified men were not, without assessing their teaching abilities or potential. A number of people observed that these hurried efforts of "lower women" schools to hire women faculty might be a disservice to everyone. If the first woman does not succeed, it may be more difficult later to introduce women than if there had been no women previously. One man noted that antagonistic faculty point to the unsuccessful case as support for their opposition to hiring other women. Furthermore, if a school earns a reputation for being difficult for women, it might be less likely for women to want to teach there. A male faculty member at a "lower women" school with a poor retention rate for women law teachers noted: "There is an intense preoccupation with the failure of women law teachers. They are treated with kid gloves, but the levels of sexism are powerful and deeply ingrained."

These comments from men and women faculty members seem to indicate the prevalence of conflict in the integration of women into law teaching at the entry point. The general perception is that women are treated differently than are men. Furthermore, this different treatment is both a positive and a negative force in incorporating women into the legal education community. Perhaps a female faculty member best summed up the situation when she commented that being a woman law teaching applicant "is both a minus and a plus."

Women's Integration at Their Current Institution

A series of questions were asked concerning: 1) the treatment of women by certain segments of the law school population, and 2) perceptions of the role of women within the institution.

Perception of Differences in the Treatment of Men and Women Faculty by Administration and Faculty Members

When asked whether they perceived differences in how men and women faculty were treated by the law school's administration, 13 of 36 men and 12 of 36 women indicated that members of the administration treated the two sexes differently. Those that noted differences made comments that could be categorized in one of two ways: an individual administrator's negative treatment of women, or a general administative attitude of special support for women. Seven women and four men noted that individual administrators treated women more negatively; and four women and seven men reported that the administration tended to treated women in an especially positive manner.

Some people indicated that members of both the faculty and the administration were more protective of women than of men faculty. One male reported:

> For those of us concerned with the future course of women colleagues, we are concerned in a way that we would't be for men. No one says, "X is incompetent because she's a woman, but I...tell my women friends that they should be careful, [since] negative comments [about them] early on [in their career] might hurt them in ways that [they] wouldn't hurt men. I want to make sure that young women don't screw up.

Another male faculty member complained about the more positive treatment of women by administration. He asserted that it was unfair that several women were hired after he was and graduated after he did, yet were being paid more than he was. At two other schools (one in the "higher women" and one in the "middle women" category), however, women commented that they were being paid less than their equally qualified male colleagues. Furthermore, they attributed this difference primarily to their gender.

Recruitment, promotion, and tenure practices were cited as other areas in which both faculty and adminstration tended to treat men and women differently. These comments were similar to those made when discussing sex differences in the job-getting processes. One man reported that even though his "middle women" school was basically positive toward women, some "sexist" men in positions of power created special problems for women. He (and other faculty members at his institution) described an individual on the recruitment committee who never promoted the candidacy of women law teaching applicants, was "very harsh" in the recruiting process, especially during the applicants' interviews and presentations, and also offered "sexist hypotheticals."

Others, however, felt their school's practices in this regard offered women an advantage over men. At least one man (at a "middle women" school) and one woman (at a "higher women" school) indicated that standards were higher for men law teaching aplicants than for women. One man at a "middle" woman school observed that he thought one recently tenured woman would not have been tenured had she not been a woman.

On the other hand, some stated that the faculty judged women colleagues according to more stringent standards than their male colleagues. One woman noted: "There is a fear that the institution is being ripped off by having female [faculty], so [these women] are scrutinized more closely." A man at another school observed the "quiet struggle" of one of his female colleagues to ensure that her book was not only competently written, but also "the absolute best" in the field.

Those who reported negative treatment of women by the faculty usually restricted their comments to individual representatives, not the administration as a whole. Some noted that administrative officials offered more resistance to women's demands.

One woman at a "middle women" school complained that it was especially hard for her to get a reduced teaching load. She implied that this difficulty, as well as her assignment to the sociability committee, was largely attributable to her gender. Another woman felt that her appointment as secretary for a meeting was also attributable mainly to the fact that she was a woman. One man seemed to corroborate this administrative weakness when he observed, "When [a woman colleague] wants something from [a certain member of the administration], she has to justify it. I can just ask for it."

Others, however, noted that this may be due not to administrative ill will, but rather to women's tendency not to express their dissatisfaction or preferences as much as do men. Men, for example, may be more likely to negotiate salary rather than accept the first offer; one woman accepted the initial salary offer and later discovered this was not common practice. Furthermore, a woman noted that her female colleagues did not clearly express their course or office location preference when the administration requested them to comunicate that. A man at a "higher women" school reported that, when men faculty have been appointed to run conferences, the secretaries arranged for such things as flowers and food; when one of his women colleagues was appointed, however, she took care of these herself. Thus these comments indicated that differences in treatment by the administration may have been due in part to different behavior of men and women faculty.

At least four women and three men indicated that there still exists a phenomenon among both administrators and faculty at their schools which could be loosely termed as "sexism": a deeply ingrained and difficult-to-change attitude that women do not belong in law teaching. People noted that these attitudes are not reflected in institutional policies, but in behaviors which are more difficult to identify. One man reported that he was unaware of procedural inequities, but he still commented, "I wouldn't want to be a woman teacher here." A woman at a "lower women producer" school commented that "procedurally, this school is involved with neutral principles." Elaborating on this view, she indicated that there was no problem with the "structural" integration of women, but that less easily identified barriers did exist. Another woman explained a similar sense of problems with women's integration:

> My colleagues have incredible amounts of good will toward women. [But having a woman on the faculty] is incredibly hard for them to get used to....It's nothing I can put my finger on.

Still another woman at a "higher women" school commented, "It's one thing to say the right things, and it's another to change your gut reaction."

Several people attempted to identify some of the behavior which exemplified these attitudes. Three women identified "gender-focused" comments by men. Two women at two different schools cited as an example of this that, whenever they would be talking with other women on the faculty, a man would make a special effort to make a comment such as, "I see you women are getting together." Other women indicated that women will feel "integrated" only when they are viewed as people first and women second and when their being women is not a consistent topic of conversation.

Others reported a sense that women were not taken as seriously as were men. "Even the secretaries don't treat us with respect," a woman noted, commenting that they address the women by first names and the men faculty by "mister." One woman commented that even though the "consciousness" had been "raised" at her "higher women" school, there are "delicate differences, such as the care with which women's points are noted and responded to at meetings." Another woman noted that one of her suggestions at a faculty meeting was not discussed until one of her male colleagues brought up the same issue. At least two women and one man noted that whenever there are issues on which the women agree or which deal even peripherally with women (e.g., discussing the merits of a woman candidate), the women lose their "legitimacy" since they are viewed as a "women's coalition." Women's input to faculty hiring decisions may be ignored, as a "lower women" female faculty member reported her experience. She said that she provided to the recruitment committee the names of several qualified women for consideration, and the names were never brought to the rest of the faculty.

Several other questions were asked concerning women's integration into their current law teaching environment. Approximately the same number of men (N=21) and of women (N=22) answered that they were part of a "professional network," defined loosely as discussing with other law teachers professional problems or opportunities. The two most "structured" networks cited were deans sending faculty notices of openings and workshops and, more significantly for the study, meetings of women law teachers. Secondly, 22 men and 19 women reported that they obtained information about the "politics" (a term which faculty members did not ask to be defined) of obtaining promotion or tenure at that institution.

Differences in Faculty Treatment of Men and Women Faculty

Many of the general concerns discussed in the previous section appeared to pertain more to treatment by the faculty than by administrative representatives. When asked whether they perceived differences in how men and women were treated by the faculty, 44 percent of both men and women (16 of 36 men and 23 of 52 women) gave some indication that either the faculty as a group, or specific members, treated women faculty differently than they did men. There were indications that some faculty members treated women more positively, but most of the indications of different treatment described negative behavior.

Both men and women noted particularly supportive faculty members. One male said he sat in one woman's class and helped her because she was "not an instinctive teacher. She's not a ham, she's analytic; she goes right to the heart of the issue without explaining how she got there." Other women mentioned individual men on the faculty whom the women thought were instrumental in the women's institutional advancement. These were usually men wielding influence within the institution, who spoke on the womens' behalf when their advancement was being considered.

Others, however, reported indications of negative behavior toward women. Several people (at least three men and four women) indicated that even though they could not clearly identify specific negative behaviors exhibited by their faculty colleagues, they sensed a general discomfort with having women among their ranks. This was similar to some of the views discussed earlier about general institutional attitudes. One woman at a "lower women" school observed that her male colleagues' "attitudes are so antediluvian that it's unbelievable.... It's the way they discuss women [that gives this impression]. It's a failure of imagination, not a failure of good will in many cases."

At least three men and 10 women (from eight of the 10 schools) specifically indicated that an "old guard," rather than the total faculty, had difficulties accepting women as colleagues. One woman, however, felt that the younger faculty may share similar views with the old guard, but that it was becoming less socially acceptable (according to the norms with which the younger men were raised) to express "sexist" attitudes as blatantly as people had in the past. Several people, both men and women, noted an atmosphere among male faculty which was similar to a fraternity and which generally made women feel unwelcome, even though men behaved courteously.

There were also indications that men and women faculty did not tend to interact socially. A woman said she chose not to interact with the male faculty members who frequently engaged in "locker-room" conversation. A man at a "higher women" school commented that "women meet together to discuss problems, but they don't seem to communicate with the rest of the faculty." While this type of discussion among women may have existed at some schools, there were indications that it was not that frequent at others. One man and one woman at a "middle women" school expressed disappointment that the more experienced women faculty were not more accessible to the new women. At a "lower women" school, a woman admitted she had forgotten the name of "the other woman on the faculty," when in fact there were three full-time members.

Some anecdotes offered specific examples of these "hard-to-identify" attitudes. One woman reported a male colleague's statement that while men law teachers were either dynamic or ineffectual, women constituted only the latter. Another woman commented that her colleagues made statements about women having "second-rate minds" and that they treated her as nonexistent. She felt that her colleagues were "threatened" by her high publication rate. One man, she noted, could only accept her extensive publishing after he had placed her in the female role as "earth mother," whose reproductive needs were fulfilled by giving birth to publications.

These anecdotes suggest that the faculty as a group, perhaps more so than the administration as a group, provided barriers for women's integration.

Perceived Differences in Student-Faculty Interactions

The differences reported most often in the treatment of men and women faculty concerned student-faculty interaction. Most indications were that students, more than either the faculty or administration, created obstacles for women's integration into law teaching.

Faculty were asked about their general perceptions concerning student treatment of men and women faculty. Over half of both the men and women (18 of 36 men and 30 of 52 women) indicated that students treated men and women differently. All of these men and 22 women noted that students (male and female) tended to create more obstacles for women faculty members than they did for men. The general view was that students tended to challenge women teachers more. "When a male teacher enters the classroom," one woman observed, "competence is assumed. With a woman, competence must be proven." "Women undergo torture in the classroom," commented a man who had observed one of his women colleague's classes. He reported challenging comments and inattentiveness which "wouldn't have lasted 30 seconds in my class." While he qualified that this might be due in part to his teaching experience, he specifically noted that he thought much of this was due to his colleague's gender. Another man complained that "students are getting worse on men/women issues, not better."

Faculty members were asked whether men students responded differently to them than did women students. Twelve men and 35 women indicated different treatment. Twenty-one women but none of the men reported that men students generally give them a "harder time" than did women students. Most of the exhibited behaviors that were reported involved the men students' testing women more than did women students (eight women from eight schools), or being generally "hostile."

One woman commented that at her school, "some men [students] are waiting for the opportunity to ... catch you unprepared. It has only happened three or four times with me, but you remember it when it happens."

Several people (five women and four men) indicated that men students, more than women students, have problems dealing with women in positions of authority, considering women who are effective in these positions as "bitchy" or "domineering." One woman said that men try to reduce the sense that women are in authority positions by calling them by their first names (which they do not do to men). One woman at a "lower women" school noted: "most men students are much quicker [than are women] to label as a putdown a negative response to one of their comments. That's harder for most men to take." One male student went to the dean and said, "I can't handle being taught by a woman." Another woman at a "lower women" school commented:

> I look insignificant to [the men]. When they're aware that I don't consider myself small, they become threatened. They resent their ideas not being welcomed and praised. They resent my knowledge and having to work hard. They characterize me as pompous...

Another way in which men and women students reportedly act differently toward individual faculty involved sexual components (two men and two women reporting these first-hand experiences). Women faculty reported male students commenting on their attractiveness, either to the other students or on the written student evaluations. One man reported reading a student's evaluation about a woman teacher's dirty hair, a type of comment which he thought students did not make about the men faculty. Another man said that he doubted whether the graffiti in the women's room about male teachers were as unfavorable as those about women teachers in the men's room.

Women faculty (at least six) also noted that women students may look to women as a role model, and ask for career advice more than do the male students (at least three women and one man). One woman felt that "women students see it as a big relief [to have me as a teacher] because they see me functioning and surviving and [I] still seem to be a real person.... They see you don't have to be editor of the Harvard Law Review to become a law teacher." One veteran woman summed up the differences between the way men and women students responded to her. She noted that she did not pay attention to student response anymore although it might not have changed. When she first started teaching, however, she was acutely aware of the difference.

> Men are more dubious of me as a teacher. Men sit back, looking at the ceiling. Women smile and look encouraging [as if to say]: "Come on, you can do it." More of the challenging

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> voices come from men. Women ask questions to understand the material, men try to play games with challenges.

Two men offered suggestions for improving student acceptance of women. One advocated unequivocal faculty support for women colleagues as an example of appropriate treatment. Another man said that, although he knew it would not happen, he would like to see the student admissions criteria altered so that schools admitted more "sensitive" individuals. Some others noted that the emphasis of the adversarial nature of law school encourages students to be combative.

Thus comments that law students treat men and women faculty differently indicate that women law teachers have greater performance pressure in terms of the students than do their male colleagues. The extent to which these factors may affect women's performance is discussed in the next section.

Perceived Gender Differences in Faculty Performance

When asked whether they thought there were any differences between men and women in their "performance" as law faculty members, 36 percent of the 36 men and 40 percent of the 52 women indicated that there were differences. The most commonly cited differences were those related to classroom performance. Several people (at least three men and three women) indicated that women are actually less effective than their male colleagues. One male teacher noted that while he felt that women were just as capable as men, if not more so, he felt that the women as a group at his institution were inferior teachers. He said he did not know the reason for this and was hesitant to admit his perception of the differences, because he did not want to subject himself to false charges of sexism. Some attributed this lack of effectiveness to student hostility.

Other differences between men and women that were noted were that women were more caring, more diverse, less concerned with the Socratic method, more soft-spoken, and less authoritative teachers. There was disagreement as to the positive or negative nature of the attributes. One woman reported: "It took me a long time to understand that I had to exercise control over the discussion. I still don't have terrific evaluations in first-year courses, partly because I'm not a good actress."

At least three people noted that women were perceived to be inferior by the students, regardless of whether this perception was accurate. One woman at a "lower women" school commented that even though there are men teachers who are "just as bad [as the women teachers], they aren't talked about [by the students] in the same way]. One bad single performance by a woman is generalized to represent a female trait and [the woman is labeled] another affirmative action type." One woman reported comments on her student evaluations that she had annoying mannerisms, such as clicking heels and sitting on the desk, and implied that students were not similarly critical of men.

If women are subjected to higher performance standards than men, they may feel more performance pressure. Some faculty members identified such tendencies. A man indicated that the women teachers he had spoken with experienced more "stage fright," or at least admitted to it more than did men. His impression was that women tended to overprepare.

Many teachers indicated important factors affecting student evaluations other than sex of the teacher. The main variable was whether the course was an elective or a required course, with students in electives generally rating teachers higher. Thus if men and women were distributed differently between elective and nonelective courses, sex comparisons may have been influenced. People also noted class size and teaching experience as important factors.

When tested for significance, there was no difference between the men's and women's reported satisfaction with their own teaching. Twenty-two men and 17 women reported that, given that everyone would like to improve at whatever they do, and given their teaching experience, they were satisfied with their teaching.

In terms of evaluation of their own publications, there were no sex differences. Among 25 men and 23 women who reported having published, it was found that on the five-point scale (1=excellent, 2=very good, 3=good, 4=satisfactory or fair 5=poor), the mean for men and for women was between very good and good (Men: M=2.68, sd=1.7; Women: M=2.48, sd=1.7). A majority of both men and women indicated that they were not satisfied with their rate of publication (23 men and 21 women), with 17 men and 20 women citing that they were not publishing at the desired rate because they did not have enough time. Chi-square tests on both these percentage differences showed no sex differences. It was difficult to assess why these individuals felt they did not have enough time (e.g., other family or professional responsibilities, or that they were "slow writers"). Some women mentioned family-related problems. For example, one woman reported that child-care problems cut into her research time. Another woman felt that even though a summer research grant would help her publication rate, she did not apply because "people with families need it more than I do."

These responses suggest that in general, women feel "structurally" integrated, but that some women continue to feel "marginal" in light of the concerns mentioned above. Specifically, students appear to create more obstacles for women's integration than do either the administration or the faculty. These problems may lead to women's increased sense of performance pressure, which in turn may diminish their effectiveness in the classroom. These areas of concern are increased when joined by an amorphous sense of institutional hesitancy to integrate them. Thus women may not feel fully integrated, even though they appear to be so on a "structural" level.

Explanations for the Current Levels of Women's Integration

Two open-ended questions were asked to identify faculty perceptions as to the success of women's integration into law teaching. The first concerned special problems women have in adjusting to the law teaching environment. A second question focused on the perception of the level of success of women's integration.

Special Problems in the Law Teaching Environment

When asked whether women may have special problems that men do not have in adjusting to the law teaching environment, 29 of the women and 13 of the men indicated that they do. Several different problems were identified.

Some people (at least three women and two men) noted that the institutional barriers that women law faculty members face may be those applying to any minority, or to any woman in a male-dominated profession. Several noted the importance of having a "critical mass" of women for at least two reasons: 1) it would enable women at the schools to be more effective faculty participants because it would remove them from the performance pressure confronting "tokens," and 2) it would encourage other women who were interested in law teaching but had been hesitant to enter the profession because of these "tokenism" pressures.

One of the problems facing "tokens," according to Kanter, is the attempt to become invisible to reduce performance pressure. This might be accomplished either by adopting the characteristics of the dominant group or by avoiding behavior considered characteristic of their token group. Several people commented that they felt women in law teaching exhibited both these tendencies.

Several people noted that women teachers they had had as students at "lower women" schools conformed to the "male model," which several faculty thought was epitomized by Professor Kingsfield in The Paper Chase. These women gave no indication that their experiences were any different than their male counterparts. Other faculty also noted the conformity to the male model by older women at their own institutions. It was indicated that this conformity, however, did not seem to lead to social integration. A woman commented that "women can't win." She noted that the only woman faculty member at the school she had attended "conformed totally to the male model, and was respected and accepted as a teacher, but I never saw her chatting with another faculty member."

At least two of the older women at the schools visited showed signs of behavior which might be interpreted as conforming to the male model. Both reported that they had never experienced discrimination. "I didn't feel I had to cling to other women," one reported. Another woman indicated that, since she was not brought up with the concept of "role models," she did not feel anything was missing when she had no women to emulate. Another older woman explained that, when she first entered teaching, she had no reason to think she should behave any differently than her male colleagues. She commented, however, that her views have changed since then:

> It became obvious as time passed that the things that were bothering women here didn't bother me. It had never occurred to me that my baby was being deprived. I never felt any particular guilt. It became clear that in order to be effective I must feminize myself. I began to invite my students home and bake cookies.

Still another woman who attended a "lower women" school reported that when she went to school, she felt competition, not camaraderie, with her women classmates. She too, however, noted her change in attitude, as she is now involved in women's issues.

Two men noted that they were surprised at the extent to which women became "phobic" in their attempt to divorce themselves from "women's issues." One man mentioned a situation in his class where there was a "clear-cut" case of a women being wronged in the case study. While the men argued both sides, the women were hesitant to defend the women's point of view; in his view, they did not want to be cast as "feminists." He implied that this tendency among students was also apparent among some of his women colleagues.

One woman at a "lower women" school reported wanting to avoid being considered stereotypically female. She refrained from making criticisms to colleagues, even when she wanted to comment, so that she would not be labeled "catty" or "hysterical." She stated that even though she did not feel "out of place" when she was the only woman, she felt it was incumbent upon her to "avoid creating the wrong impression of how women might react in a stimulus situation. When you're the only one and the first one, you feel [any negatively received behaviors]...would jeopardize the chance for any other women." Another "lower women" female said that students tend to generalize about female characteristics from individual women. A male colleague confirmed that he also thought this tendency existed.

While women were being criticized for conforming to the male model, they also reported having problems being "pigeon-holed" into certain "women specialties." This might preclude professional growth into other specialty areas. One man from a "higher women" school encouraged women to stay away from sex discrimination as a specialty for exactly that reason. He also noted that substantive diversity among women faculty would create varying role models for women. Another woman reported that a number of both men and women faculty advised her not to write her tenure piece on sex discrimination, but she planned to do so nevertheless. Still another woman specializing in sex discrimination felt that "women's issues are not considered 'hard law'."

Women's tendency to specialize in "women's" issues was apparent in this study's sample; at least seven women in the sample evidenced a special professional interest in "women's issues." As discussed elsewhere, there are indications that factors other than individual preference (e.g., institutional constraints) that account for some of this concentration. Some women who were in "female specialties" indicated that they clearly felt like "second-class citizens," but had difficulty attributing the major reason for this impression. For example, in schools where a large proportion of women faculty were in clinics and clinicians appeared to have "second-class" status, it was not clear to many whether most women had this marginal role because most were clinical, or because they were women.

Some individuals also commented that women may be more easily integrated into clinical and research and writing programs because these positions involve many of the stereotypical roles attributed to women (e.g., one-to-one teaching, supportive roles). Another woman saw women taking on this "mediation" role among some of her "vindictive" male colleagues. Another woman commented, "My nature... is not adversarial. I like to make peace and look for solutions."

While the previous comments speak to problems of tokens in general, some faculty noted problems they thought were especially applicable to the legal profession. Both men and women expressed applicable to the legal profession. Both men and women expressed dissatisfaction that schools were not more formally involved in introducing and integrating new faculty. One male faculty member felt that this "helping system" contradicted the "competitive nature of the law school" which unfortunately (in his view) valued "look[ing] like you can do things yourself without apparent effort." Two women and a man specifically indicated that this lack was more distressing to the new women than to the new men.

One woman felt that the nonverbal message communicated was: "Law is a man's profession, not quite suited for feminine intelligence. The adversarial nature of law means it is a... unique little animal. A combative attitude really permeates the profession, [and] that is not the way most women are trained to be."

Another problem related to women's entry into law teaching may be termed "the double bind": women's "success" in one sphere leads to her "failure" elsewhere. Several different double binds were reported. Two women commented that if women do not serve on "powerful" committees, they do not have input to the decision-making, yet others may be so "overassigned" that they are left little time for their own research and writing. Similarly, if they are not assertive and forceful, they are frequently considered incapable of controlling the classroom; if they are forceful, however, they are thought to be domineering. A man at a "lower women" school noted that the recruitment committee only selects "good girls," but the competitive nature of this "producer" school made it "impossible for them to survive." One of his female colleagues concurred that the institution does not value a "gusty, outspoken woman, but you have to be one to survive." Another woman noted that common criticisms of a woman was either that she was "not sufficiently lawyerlike," or that she was "too much of an advocate," rather than a "detached intellectual."

Thus there is evidence to suggest that women have special problems in the law teaching environment. Many of these may be similar to those faced by any "token": increased performance pressure, the perceived need to conform to the "dominant's" characteristics, and role entrapment. These problems, it was also suggested, may be magnified in the adversarial setting of the law school.

Explanation for the Percentage of Women in Law Teaching

In an attempt to put into perspective individuals' responses about women in law teaching, perceptions were given about the reasons for the low percentage of women in law teaching; interviewers cited the RLE figure of about 10 percent. The major reasons cited (by 47 percent of the men and 58 percent of the women) was the lack of women law graduates in the past. While some cited sexism as a reason (at least two men and five women), many expressed optimism that the proportion of women in teaching would increase at a rate similar to that of women law students.

Others attributed the percentage to women's lack of commitment to law teaching; women, it was asserted, may be more committed to family responsibilities. At least two women cited the "joint career" situation which limited geographic mobility. Child-rearing responsibilities also were cited by six women as creating additional burdens for women. Several people, however, commented that law teaching was better than other areas of law because it was more flexible, and therefore, could accommodate these responsbilities better than could traditional legal practice. Another woman reported trying to get access to child-care facilities after her school denied this request on the grounds that another school's facility had not been successful.

In addition to the "time lag" and "family responsibilities" explanations, a third reason was offered: qualified women may be more attracted to positions commanding more power or prestige than do law teaching positions (at least four women and one man). One other reason cited by at least three women was that women do not consider it as a career option. A woman reported that she wanted to encourage women students to consider law teaching, but felt she did not have the "clout" needed to ease their entry.

Two women at a "higher women" school took issue with the RLE figures. They noted that one of the reasons their school was considered a "higher women" school was because many of the women were full-time, nontenure-track clinicians. One of these women noted, "It's easier for people to accept us as faculty members if they don't have to accept us as equals."

Thus both men and women recognized several factors affecting women's participation in law teaching. They also emphasized the importance of accurate data on women actually in "opportunity" positions in law school. While the most often-cited was the time-lag factor, other factors were also recognized. Among these were: women's level of commitment because of family responsibilities, the extent to which they consider law teaching as an option, and the extent to which women prefer other types of legal positions.

SUMMARY OF MAJOR FINDINGS

At the 10 schools in the sample, 36 men and 52 women faculty members were interviewed. Different segments of the faculty sample were used for analysis, depending on the research question. The tenure-track matched sample consisted of 31 women in tenure-track positions matched with 31 similarly qualified men. The total matched sample included those in the tenure-track sample, with an additional five women in nontenure-track positions matched with five men. Anecdotal data from 16 additional women (both tenure-track and nontenure-track) were included on certain questions. The interviews revealed the following about the faculty sample:

Individual Characteristics

- In academic qualifications, women were similar to men in the following ways:

  1) About half graduated from the top five "producer" schools.
  2) Over 80 percent graduated in the top third of their class.
  3) Approximately 60 percent were on law review.
  4) Approximately 25 percent were Coif members.
  5) 13 percent had LLM degrees.

- In professional experience, women and men were similar in that both groups had spent about 1.75 years on the average in private practice and six years in tenure-track teaching at their current school.

- Differences in the men's and women's professional experience was suggested by the following:

  1) Men on the average had taught full-time (tenure-track and nontenure-track) 7.9 years, while women had taught 6.4 years. While this was not statistically significant for this sample, it suggests that significant differences may exist in a larger sample.
  2) Significantly more women than men (26 percent and seven percent respectively) reported engaging in "other legal experiences" prior to teaching.
  3) Ten percent more women than men had not published any sole-authored articles.
  4) Five percent more women than men had published one sole-authored book and 17 percent more women than men coauthored at least one book.

- Women were similar to men on the following measures of motivation:
  1) The majority considered law teaching the preferred career option and planned to remain in law teaching.
  2) On a scale measuring importance of goals in law teaching, the three goals given the greatest importance were the same for both groups.

3) The importance of research and writing as a goal, as well as the expectations for accomplishing it, were the same.

4) The same percentage in each group of nontenured faculty who held tenure-track positions wanted to achieve tenure and expected to do so.

Entry into Law Teaching

- Women were similar to men in their entry into law teaching in the follow ways:

1) Over half had sponsors.

2) About 75 percent decided after law school to enter teaching.

3) Concerning job-search activities, for the first job, a fourth had no job search and a fourth used the AALS; for the second job, over 40 percent had no job search.

4) The majority took tenure-track positions as their first full-time teaching position.

- Gender differences between men and women were suggested by the following:

1) 36 percent fewer women than men received information when they were law students about law teaching as a career option.

2) 20 percent more men than women had role models.

3) 15 percent more women than men decided five or more years after graduation to enter law teaching.

4) A larger percentage of women than men (24 out of the 52 women and eight of the 36 men) volunteered that the primary impetus for their teaching law at their current law school came from individuals affiliated with the law school.

5) About 75 percent of both the men and the women indicated that the job-getting process was different for women than it was for men, with the most-often cited difference that schools were making special efforts to recruit women; anecdotal data suggested that, even though the formal structures operate to women's advantage, informal practices and attitudes may operate to their disadvantage.

Within the Law School Setting

- Thirteen of the 29 tenure-track men (45 percent) and 12 of the 30 women (39 percent) had tenure.

- The average number of years tenured for women was 7.36, compared to 7.54 for men.

- There were no sex differences in the number of years spent at each rank, among those who had spent time at each rank in their current law schools.

- Women reported being just as satisfied as the men regarding their teaching assignments.

- As many women as men reported receiving research resources, with one exception: 29 percent of the men compared to 15 percent of the women reported receiving paid research leave.

- Both men and women spent on the average approximately six hours in class and six hours in administrative activities per week.

- Women spent an average of 7.5 hours per week in research and writing; men spent about 13 hours per week.

- Women spent an average of about 21 hours per week in class preparation; men spent about 15 hours per week.

- The following were indications that women were being integrated into the law teaching environment:

  1) About the same percentage of men and women reported receiving information about the "politics" of faculty advancement.
  2) About the same number reported being part of a professional network.
  3) Women and men reported being equally satisfied with their own teaching.
  4) Anecdotal data suggested administrative support for women's integration.

- Over half of the sample (both men and women, indicated that law students treated the women on the faculty differently from the way they treated men; the majority of the comments indicated that the students created more obstacles for the women.

- Over a third of the sample (both men and the women) indicated that they perceived differences between men and women in their performance as law faculty members; the most commonly cited differences were those related to classroom performance.

- Over one-third of the men and one-half of the women indicated that women face problems in the law school setting which men do not; the problems described primarily concerned "performance pressure" and other consequences of "token" status.

Table 4.1

Distribution of Tenure-track Matched Sample Over Age Categories, by Sex

Age Category	Men (N=31)		Women (N=31)	
	N	%	N	%
30-34	11	36%	10	33%
35-39	12	39%	13	42%
40-44	3	10%	4	13%
45-65	5	16%	4	13%

Table 4.2

Marital Status of Total Matched Sample, by Sex

Marital Status	Men (N=32)		Women (N=36)	
	N	%	N	%
Single	7	22%	8	22%
Married	22	69%	17	47%
Separated/divorced	3	9%	11	31%

Note: Four of the 36 men did not answer this question.

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Table 4.3

Percentage of Total Matched Sample with Children, by Sex of Faculty Member

Age of Children	Men (N=30)	Women (N=36)
Under 5 years old	30%	28%
5-12 years old[a]	37%	6%
Over 12 years old	23%	17%
No Children	40%	53%

[a] p=.01

Note: Six of the 36 men in the total matched sample did not provide information on children. Percentages do not total to 100 because some people had children in more than one age group.

Table 4.4

Occupation of Spouse of Married Respondents in the Total Matched Sample, by Sex of Faculty Member

	Men (N=23)		Women (N=17)	
Spouse Occupation	N	%	N	%
Lawyer	4	17%	9	53%
College faculty	3	13%	2	12%
Other professional	11	48%	6	35%
Other	5	22%	0	0

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Table 4.5

Number of Tenure-track Matched Sample who Received Law Degrees From "Producer" and "Other" Schools

Category of school from which JD Received	Men (N=31)	Women (N=31)
Top 5 "producer" schools	14	13
Other 15 "producer" schools	9	10
"Other" schools	8	8

Note: In one instance, it was necessary to match a woman with a JD degree from the other 15 "producer" schools with a man with a degree from the top five "producer" schools.

Table 4.6

Percentage of Tenure-track Matched Sample at Each Class Rank, by Sex

	Men (N=28)		Women (N=28)	
Class Rank	N	%	N	%
Top 10%	15	54%	19	68%
Top third	10	38%	4	14%
Middle third	3	11%	3	11%
Bottom third	0	0	2	7%

Note: Class rank for three of the 31 men and three of the 31 women was unknown. Percent columns may not total 100 because of rounding.

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Table 4.7

Percentage of Tenure-track Matched Sample With Academic Qualifications, by Sex

Qualification	Men (N=31)	Women (N=31)
Law Review	61%	58%
Coif	25%	30%
Other law journals	45%	32%
LLM	13%	13%

Table 4.8

Professional Legal Experience of the Tenure-track Matched Sample, by Sex (means, standard deviations, and percentages)

	Men (N=31)				Women (N=31)			
Experience	M	sd	N	%	M	sd	N	%
Full-time law teaching	7.87	5.8	31	100%	6.35	6.3	31	100%
Private practice	1.74	2.6	13	42%	1.77	3.0	15	48%
Government	1.26	2.9	10	32%	0.71	1.2	10	32%
Legal aid/public interest	1.45	5.4	7	23%	0.84	2.0	8	26%
Clerkship	-	-	5	16%	-	-	6	19%
Part-time teaching	-	-	5	16%	-	-	7	23%
Other legal experience[a]	0.03	0.2	2	7%	1.20	2.6	8	26%

[a] $p<.05$

Note: Part-time teaching and clerkship experiences were coded only in terms of whether such experiences existed, not the amount of time engaged in the experience. Full-time law teaching includes both tenure-track and nontenure-track.

Table 4.9

Years in Full-time Teaching at Current School
For Tenure-track Matched Sample, by Sex
(means and standard deviations)

	M	sd	N
Men	5.9	5.5	31
Women	5.8	6.2	31

Note: "Full-time" teaching refers to tenure-track only.

Table 4.10

Percentage of Tenure-track Matched Sample with Publications, by Sex

Publication	Men (N=27)		Women (N=31)	
	N	%	N	%
No articles	6	22%	10	32%
No books	23	85%	25	81%
1 article	4	15%	7	23%
1 book	2	7%	4	13%
More than 1 article	17	63%	14	45%
More than 1 book	2	7%	2	7%
Co-authored at least 1 article	12	44%	8	26%
Co-authored at least 1 book	2	7%	6	19%

Note: Four of the 31 men in this sample did not provide information about publications. Unless otherwise indicated, publications refer to sole-authored works. Percent columns do not total to 100 because faculty could have published in more than one category.

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Table 4.11

Current Faculty Rank of Tenure-track Matched Sample, by Sex

	Men (N=30)		Women (N=30)	
Rank	N	%	N	%
Assistant Professor	9	30%	12	40%
Associate Professor	10	33%	8	27%
Full Professor	11	37%	10	33%

Note: One matched pair held nontenure-track positions but both had been hired for 1980-81 by the same school for tenure-track positions. They were thus included in the analysis for tenure-track faculty.

Table 4.12

Years at Each Rank at this School for the Tenure-track Matched Sample, by Sex (means and standard deviations)

Rank	Men			Women		
	N	M	sd	N	M	sd
Assistant Professor	18	2.42	1.10	17	2.21	1.33
Associate Professor	15	3.63	2.64	14	4.07	2.23
Full Professor	10	7.60	6.04	10	6.30	6.80

Note: The N's sum to a number larger than the sample number because an individual may have held more than one rank at the current institution. All test of differences among the means were non-significant.

Table 4.13

Hours/Week Spent by Tenure-track Matched Sample
in Class and in Administrative Activities, by Sex
(means and standard deviations)

	Men			Women		
Activity	N	M	sd	N	M	sd
Hours/week in class	27	5.78	1.6	31	6.36	3.7
Hours/week in administrative activities	26	5.50	6.5	31	6.10	7.7

Note: Five of the 31 men in this sample did not provide complete information about their time allocation.

Table 4.14

Hours/Week in Various Faculty Activities
for Tenure-track Matched Sample, by Sex
(means and standard deviations)

	Men (N=26)		Women (N=31)	
Activity	M	sd	M	sd
Research/writing	12.85	13.40	7.51	7.54
Class preparation	15.46	10.07	20.84	11.11
Time with students	5.50	6.17	5.26	2.80
Service to legal profession	1.04	1.84	2.32	4.56
Pro bono	0.77	1.63	1.73	3.42

Note: Five of the 31 men did not provide this information.

Table 4.15

Percentage of Tenure-track Matched Sample Who Reported Receiving Research Resources, by Sex

Resource	Men (N=31)	Women (N=31)
Student assistants	85%	80%
Grant funds	48%	50%
Paid research leave	29%	15%
Reduced teaching load	23%	23%

Table 4.16

Percentage of Tenure-track Matched Sample Satisfied with Course Assignment, by Sex

Nature of Preference	Men (N=31)	Women (N=31)
I am teaching the course I want to teach.	97%	97%
I am teaching at the time of day I prefer.	77%	100%

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Table 4.17

Importance of Goals in Law Teaching Career for Total Matched Sample, by Sex (means and standard deviations)

	Men			Women		
Goal	N	M	sd	N	M	sd
Advance in faculty rank	32	2.66	1.2	32	2.97	1.1
Attain top administrative position	32	1.19	0.5	35	1.43	0.9
Exercise leadership	32	2.75	0.9	35	2.71	0.9
Achieve national reputation	32	3.06	0.9	35	2.77	1.0
Have colleagues' respect	32	3.75	0.5	35	3.46	0.8
Transmit legal knowledge	32	3.66	0.7	35	3.57	0.8
Have freedom from supervision	32	3.41	0.9	35	3.11	1.0
Do research and writing	32	3.44	0.6	35	3.26	0.9
Have time for family	31	3.32	1.0	34	3.27	1.1
Help students	32	3.50	0.7	34	3.44	0.8

Note: All t-tests N.S. at $p<.05$.

Table 4.18

Expectations of the Total Matched Sample
for Achieving Goals in Law Teaching Careers
(means and standard deviations)

	Men			Women		
Goal	N	M	sd	N	M	sd
Advance in faculty rank	26	3.50	1.0	32	3.59	1.1
Attain top administrative position	17	2.43	1.3	15	2.07	1.0
Exercise leadership	28	3.00	1.2	32	2.88	1.0
Achieve national reputation	31	3.48	1.0	33	2.73	1.3
Have colleagues' respect	32	3.38	0.9	34	3.53	1.2
Transmit legal knowledge	31	3.87	0.9	33	4.21	1.0
Have freedom from supervision	30	3.73	1.1	32	4.12	1.0
Do research and writing	31	3.61	1.2	33	3.67	1.1
Have time for family	29	4.07	0.9	29	3.93	1.2
Help students	31	4.00	1.0	33	4.30	1.0

Note: All t-tests N.S. at $p<.05$. Those for whom each item was not a goal were omitted from the analysis.

Table 4.19

Time of Decision to Enter Law Teaching
in Total Matched Sample, by Sex
(number and percentage in each category)

Time of Decision	Men (N=32) N	Men (N=32) %	Women (N=36) N	Women (N=36) %
Before entering law school	3	9%	7	19%
During law school	6	19%	5	14%
0-4 years after law school	18	56%	13	36%
5 or more years after law school	5	16%	11	31%

Note: Four of the 36 men did not answer this question.

CHAPTER V

THE LAW STUDENTS

The primary objective of this phase of the study was to measure the attitudes and perceptions of those students who were considered the best qualified for law teaching by traditional criteria. This was considered important for two major reasons. First, the extent to which experiences as law students influence interest in entering law teaching was considered important. Second, law students may have a significant impact on women law teachers' attitudes about teaching, as well as on their professional performance. This chapter will first present the methodology for this phase of the study; the results section will focus on student attitudes about law teaching as a career option and on their perceptions of women's integration into law teaching.

METHODOLOGY

Instrument

The student questionnaire (Appendix 5.1) measured the following: demographic information, law school experiences, interests in law teaching, and perceptions about women in law teaching. It was pretested on 10 law students and revised accordingly. The questionnaire was designed to take approximately 20 minutes to complete. Questionnaires were color-coded by school so that data could be analyzed by school category.

Procedure

The questionnaire (Appendix 5.1) was distributed during the researchers' on-site visits to each law school. Each questionnaire was enclosed in an envelope addressed to an individual and stamped "confidential." Also included in the envelope was a letter to the student (Appendix 5.1) briefly explaining the purpose of the study, its confidential nature, the importance of their participation, and instructions for completion and return. The questionnaires usually were distributed through student mail boxes at the law school. At the end of each visit, the questionnaires which had been returned to the designated office were collected and a self-addressed envelope was left in which additional questionnaires could be mailed.

Sample

Since the study was concerned with learning about the attitudes of students most "qualified" to enter law teaching, the sample was selected from various lists of qualified students provided by administrative officials at each school. While these officials had discretion about the types of lists they provided, law review and Coif membership lists were suggested to them. All schools provided names of law review members. Additional lists included members of other law journals, Moot Court officers, and Coif members. The assumption was that these were the best available approximations of the desired population. The sample selected was not intended to be representative of the total undergraduate population nor of the total "qualified" students as defined by the lists provided by the schools. Rather the objective was to include as many of the "most qualified" women as possible, with a similar group of men. Therefore, some members of the law review and other law journals were included. Coif membership lists were used when they were made available.

One explanation that has been offered for the low percentage of women teaching law is that they are under-represented in academic qualifications, that is, that the proportion of those with academic honors who are women is less than the proportion of the student body who are women. In order to assess this explanation, a comparison was made between the percentage of enrolled students at the sample schools who were women and the percentage of highly qualified students who were women. The RLE numbers of men and women enrolled in the second and third year were used for this comparison. This was considered a better estimate than was total enrollment of the pool from which the other categories were selected, since students usually were not eligible for the honors until the second year of law shool. The number and percentage of women on law review and on the "all qualified" lists was determined by counting only those clearly female names from the lists and dividing by the total number of names on the list. Thus errors would tend to be in counting fewer women with honors than actually existed. The names in this analysis were not restricted to those people to whom the questionnaire was distributed.

Table 5.1 presents the results of this analysis. When all 10 schools were analyzed together, women appeared to be proportionately represented in the "qualified" category. Thirty-six percent of the total enrollment were women, compared to 33 percent on law review and 38 percent on the "all qualified" lists. Two noteworthy indications of difference emerge from analyses by school category. First, the greatest percentage point difference between the percentage of women on law review and on the total enrollment is at "producer" schools. While women constitute 33 percent of the second and third year enrollment, they constitute seven percentage points less (26 percent) of law review members. The suggestion that women are under-represented in academic honors, however, is not borne out by the percentage at "producer" schools who are on the "all qualified" list who are women. Women constituted one percentage point more on the "all qualified "list than they did in the second and third year enrollment. This suggests that some women at "producer" schools who are "qualified" may opt to channel their resources into areas other than law review.

A similar pattern in percentages was found with women at "lower women" schools when compared to "higher women." An explanation similar to that offered in the "producer" discussion might apply here. Further investigation, however is required to test this hypothesis.

Fifty questionnaires were distributed at each school, with the exception of one smaller school where only 24 were distributed. Of the 474 questionnaires distributed, 258 were returned. This was a total response rate of 54 percent. The total number of men respondents was 140, for a response rate of 49 percent. Sixty-three (N=118) percent of the women returned questionnaires. Table 5.2 shows the response rates by school category.

In every case, the percentage of women returning the questionnaire was greater than that of their male counterparts, with the women's percentage exceeding the men's by between nine and 18 percentage points. The return rate appeared higher for "other" than for "producer" schools, and higher for "higher women" than "lower women" schools. One possible explanation for these rates is that women may be more concerned than are men about women's integration into law teaching, "other" students are more concerned than are "producer" students, and "higher women" students are more concerned than are "lower women" students.

Demographic characteristics of the sample are presented in Table 5.3. It reveals basic similarities between the men and women: the average age for both men and women was about the same (26 years for men compared to 28 years for women). The standard deviation, however, suggests that there was more variation in age among the women than among men (7.9 and 3.0 years respectively). The majority of both sexes were white, unmarried, had no children, and had no further education.

Table 5.4 presents the percentage of students, by sex, for each qualification important in a law teaching career. Forty percent of the men and 36 percent of the women in the sample were attending "producer" schools, and about half from each group ranked in the top 10 percent of the their classes. Membership in law review for these selected students was typical since this was the primary mode of sample selection; about 70 percent of the men and 76 percent of the women were members. Participation on other journals was less prevalent, with the percentages being about 30 for men and 27 for women. These data suggest that women in this sample were as qualified as the men on factors important to law teaching. The possible exception to this similarity concerned the publishing rate of men compared to women. While publication is important for promotion and tenure purposes, its role in initial hiring remains unclear; thus the relative importance of publication as an initial qualification for teaching is unknown.

Data Analysis

Data were coded and analyzed by computer using the SPSS program. Of primary importance were analyses by sex. In addition, some questions were analyzed by school categories, where appropriate. In some school category analyses, students were separated by "producer" and "other" schools. In others, the categories for analysis were "% women faculty," where the percentages were determined by dividing the number of women faculty during 1977-78 and 1978-79 by the total number of faculty for those two years. This two-year average was used, since it was considered the best available approximation of the proportion of women faculty to which students in this sample were exposed. Five schools were in the "higher women" group and five were in the "lower women" group. It is important to note that these two types of categorizations are not mutually exclusive; rather each respondent has been categorized either as attending either a "producer" or "other" school, and either a "lower women" or a "higher women" school.

FINDINGS

Law Teaching as a Career Option

The questionnaire measured several aspects of the students' interests in law teaching. Data were analyzed comparing two groups: those who had considered law teaching as a career option and those who had not.

The number and percentage of those students who had considered law teaching as a career option are presented in Table 5.5 It reveals that about half of both the men and the women in the sample had considered law teaching.

Tables 5.6 and 5.7 provide additional information about those individuals considering law teaching. Notably, about a fourth of both men and women decided before they were in law school to consider law teaching (Table 5.6). Table 5.7 shows that the percentage of women who preferred law teaching was greater than the percentage of men. Approximately half of both the men and the women considered it equally desirable in comparison to other types of legal work. Thus women seem at least as committed (if not more committed) as men to law teaching as measured by percentage interested in law teaching, time of decision, and strength of preference.

In an attempt to determine possible sex differences in the extent to which factors influence the decision to consider law teaching as an option, simple correlations were computed using 26 variables considered potentially related to such a decision (Table 5.8) As expected, the desire to help students was significantly related to both men's and women's consideration to teach. Having time to write and do research was significant for both, although the correlation was greater for the men. In examining other sex differences, four characteristics appeared most important. For women, enjoying law school, ranking higher in their classes, and having a female relative on a higher education faculty were significantly related to opting for a career in law teaching. For men, these characteristics were unimportant. The relationship between considering law teaching and receiving information about teaching is stronger among men than the women. For men, this variable correlates .51 ($p<.01$) with the criterion, where for women the correlation is .20 ($p<.05$).

Because of the significance of enjoying law school, this variable was examined in another way (Table 5.9). Approximately 70 percent of both men and women reported enjoying law school. When analyzed by school category, the percentages suggest that more women students at "higher women, producer" schools enjoy law school than women in other law school settings.

Since obtaining information about teaching was also an important variable in the relationship to a law teaching decision, percentages by sex and school category were examined (Table 5.10). Approximately 20 percent of the men and women (22 and 17 respectively) reported receiving information about law teaching as a career option. When analyzed by school category, the lowest percentage receiving information about law teaching was among women at "producer" schools.

The men and women who had not considered law teaching were similar in their reasons for not doing so. The reason cited most often by both men and women (37 percent of each) was a preference for the "action" orientation of practice. One potential difference, however, concerns the second most often-cited reason. For men, "low salary relative to other types of legal professions" was second (18 percent compared to six percent for the women), while the second most often-cited reason for women was that they thought they were not qualified (17 percent for women compared to 11 percent for men). This is notable in light of the fact that the men and women in the sample appear to be similarly qualified. It is also interesting that 11 percent of the women (compared to six percent of the men) indicated they did not consider teaching law because no one encouraged them.

Students also provided their perceptions on the channels through which law teaching positions are obtained. Table 5.11

shows that "merit" (defined as evidencing knowledge and intelligence in law school or in the application process) and "old boys' network" (which includes having a sponsor within the law school to which the candidate is applying) were viewed as the primary means by which a teaching job is obtained. Twenty-one percent of the men and 36 percent of the women thought the "old boys' network" was the most common channel. Sixty-six percent of the men as compared to 52 percent of the women thought that jobs were primarily obtained on "merit." From the available evidence, it is difficult to determine the major reasons for the low percentage citing AALS activities as a common channel; this may indicate a lack of knowledge about the AALS activities.

These trends toward sex differences in perceptions of how law teaching positions are obtained may affect men and women differently when considering law teaching as an option. One hypothesis consistent with the data is that women who are equally as interested and as qualified as men to teach law might not seriously pursue it, because they think the old boys' network is the primary way to obtain a position, and they do not feel "plugged in" to it. This feeling may be reinforced by the difference in the amount of information given to "producer" men and women. This interpretation is supported by a woman student at a "lower women, producer" school who wrote:

> A lot of old boy networks exist at this law school--and that is really the way that people (men) get law school professsorships. It is hard to warm up to many of the male professors here. They seem actually uncomfortable with women as proteges. I've also been surprised at how cagey and calculating my male colleagues on the law review are about getting to know certain professors, either to get clerkships or to teach. To an outsider it seems like a big macho game--and I often get the feeling that they don't even consider me as a competitor, by virtue of my sex alone.

Perceptions of Women in Law Teaching

Several questions focused on student perceptions of women in law teaching. When students were asked to cite the primary reason they thought the percentage of women on law faculties was not higher, indications of sex differences in patterns of responses emerged (Table 5.12). Nearly half the men cited the explanation that there were not yet enough women with adequate training and experience; 19 percent felt that those women who were qualified were accepting more lucrative or prestigious jobs. About 20 percent fewer women than men thought there were not enough qualified women, and about 10 percent more women than men thought the qualified women were taking other jobs. Twenty percent of the women cited as a reason law schools not wanting women on their faculties: only seven percent of the men selected this option. Thus while most men saw the explanation as a numbers problem, women perceived other important factors as well: individual choice and discriminatory actions by law schools. Some students indicated that women may have special problems obtaining a law teaching position, either because there are no positions available for their spouses in the locations where they might teach or because they might have trouble showing that they are "reliable," despite family commitments (three women and two men mentioned this).

Other students felt the problems were more gender-related. One woman at a "lower women" school wrote:

> Sexism toward female students is pro forma in the classroom. Teaching opportunities can't improve unless learning opportunities do. Discrimination against female students is an...atmosphere that is ever-present, yet always dissipated in genuine one-to-one interaction.

Another from a "lower women" school noted:

> Women want to teach but also care about being in a supportive environment--law school faculties are not supportive environments for women.

Five items on the questionnaire were designed to provide more detailed information about student differences in perceptions of women faculty members. The items were on a scale of 1 to 3, with 3 indicating a perception of discrimination against women (see Appendix 5.1 for exact wording). These items were used in an analysis of variance with three independent variables: sex, "producer-other" status, and "% women faculty." Along the dimension of "% women faculty," the sample of schools was split so that five schools constituted a "lower women" group and five the "higher women" group. Thus each student was placed in one of eight cells for this analysis: male or female, "producer" or "other" school, and "lower" or "higher" percent faculty women. All five F-tests showed significant overall main effects at $p<.01$; there were no interactions among the three indpendent variables at the same p-level.

Table 5.13 presents means for each variable, adjusted for other factor effects; the variation due to other effects has been partialled out. Only those effects which were significant at the $p<.01$ level have been presented. This analysis assessed the extent to which gender and law school category affect students' perceptions of women in law teaching. It was found that both make a difference in perceptions.

Students at schools where there was a lower percentage of women on the faculty tended to perceive the existence of sex discrimination in law teaching, whereas those at the "higher women" schools did not. Specifically, the results suggested that those at the "lower women" schools believed it was more difficult for women than for men to be hired by that school, and that hiring standards were higher for women than for men. These data suggest that the percentage of women on a faculty is an important factor in student perceptions of the treatment of women in law teaching.

At the "producer" schools, the women faculty from whom students had taken courses tended to be seen by the students as less competent than the men faculty members. The hiring standards were also perceived by the students at "producer" schools as lower for women than for men. Students in "other" schools also reported more discrimination against women in law teaching and higher standards for hiring women. The general tendency by students in "other" schools to perceive greater discrimination is difficult to explain.

On four of the five variables, women reported greater awareness of discriminatory behaviors than did men. Specifically, women felt that it was more difficult for a woman to get a teaching job, that there was more frequent sex discrimination, that hiring standards were more stringent for women, and that promotion and tenure standards were also higher for women.

These results support the notion that perceptions regarding women in law teaching differ for particular groups. The most outstanding factor in differing perceptions is the student's gender, but the other factors also have a significant effect. It appears that those who perceived the most discrimination were women attending "other" schools with few women faculty members. The least degree of discrimination was perceived by men attending "producer schools" with relatively more women on the faculty.

Further support for these findings comes from two other questions about faculty hiring and advancement practices and treatment of female faculty members by the administration. About 48 percent of the women compared to 37 percent of the men thought that hiring and advancement practices were less favorable for women than for men. For women who had had women law teachers, more at "lower women" schools (58 percent, or 18 of 31) thought that women faculty were treated differently from men faculty than did those at "higher women" schools (20 percent, or 12 of 60). This difference was significant at $p<.01$ ($X^2=13.61$, df=1).

To conclude, differences existed among the law students in perceptions about treatment of women law faculty. Women students in the sample reported more awareness of discrimination than the men students, but also students in "other" and "lower women" schools felt that women were not treated equitably.

Students also elaborated on their questionnaire responses through anecdotes. Some expressed dissatisfaction with their schools' attempts to integrate women faculty. A man at a "lower women" school commented that "the head of the hiring committee is a sexist who covers himself by only inviting women who already have higher paying jobs to interview." A woman at a "lower women" school observed:

> Invariably women are hired to teach family law or torts. Apparently [the] recruitment of women is unenthusiastic.

Another woman at a "lower women" school noted:

> The fact that there are so few [women teachers here] and that they seem to come and go, gives the male students [the impression] that these are token, pitifully bad teachers. The charity [the men] give to a new male teacher ("oh, he'll get better") they won't give to a woman. The administration fosters this by throwing women into first-year classes for their first assignments.

Some students indicated that even though they perceived that discrimination exists, they did not think it was necessarily conscious or overt. One man at a "lower women" school wrote:

> I would like to make it clear that I do not think that my school intentionally discriminates against female applicants for teaching positions; nonetheless, I am sure it does discriminate.

A woman at a "lower women" school observed that:

> Qualities which would enhance the chances of a male applicant [getting a law teaching job] seem to decrease women's chances. All the old anti-female myths and stereotypes are subconsciously at work all the time; worst of all the male faculty consider themselves to be enlightened!

Some students (at least two men and one woman) commented that hiring or advancing women who do not meet the standards does a disservice both to the students and to the successful integation of women.

Two comments from men were less "charitable" to women law teachers. One "lower woman" man wrote:

> I've heard it said that women here don't last long because they don't like being harassed in class by students. This is hard to swallow: only professors harass here. (In the course I had from the aforementioned woman, no one harassed anyone; most of us dozed most of the time.) It is true that the few women who've taught here have been regarded by their students as notably uninspiring....

Another "lower women" male commented:

> Women generally lack both the inclination and ability to confront on a daily basis 75-100 students, some of whom are both hostile and have better minds. It takes more ego than women generally have. The ones that have it are in practice.

SUMMARY OF MAJOR FINDINGS

The portion of the study dealing with men and women students who were considered "most qualified" to teach law revealed the following:

- Women were similar to men in the qualifications important for law teaching: class rank and law review membership.

- Eleven percent more men than women reported having published a sole-authored or coauthored work.

- About half of both men and women in the total sample had considered law teaching as a career option; nine percent more "producer" men than "producer" women had considered law teaching.

- Thirteen percent fewer women than men at "producer" schools had received information about law teaching as a career option.

- The men and women who had not considered teaching cited most often (37 percent of each group) the "action orientation" of practice as a reason for not teaching. They differed in their second most often-cited reasons: for men it was "low salary relative to other types of legal positions," while for women it was that they did not feel adequately qualified.

- Women and men who had considered law teaching were similar in the following ways: 1) A fourth of both had considered it before entering law school. 2) Half of both groups preferred law teaching over other types of work. 3) Two factors, the desire to research and write and the desire to help students, were significantly related to both men's and women's desire to teach.

- For women, the following were significantly related to considering law teaching as a career option: enjoying law school, class rank, and number of female relatives on a higher education faculty.

- Although it is important for both, the relationship betweeen considering law teaching and receiving information appears stronger among men than among women.

- The category of law school was related to students' perceptions of women faculty: 1) Students at "lower % women" schools believed it was more difficult for women than for similarly qualified men to be hired and that hiring standards were higher for women than they were for men. 2) Students at "producer" schools perceived women faculty from whom they had taken courses as less competent than the men. 3) Students at "producer" schools thought the hiring standards were lower for women than for men.

- About 48 percent of the women compared to 37 percent of the men responding thought that hiring and advancement practices were less favorable for women than for men.

- Women more than men felt it was more difficult for a woman than for a similarly qualified man to get a law teaching job, and that sex discrimination was frequent.

Table 5.1

Percentage of Student Enrollment, Law Review, and Students "Qualified to Teach" Who are Women, by School Category

	Enrollment (2nd and 3rd year)			Law Review			"All Qualified"		
School Category	Total N	N Women	% Women	Total N	N Women	% Women	Total N	N Women	% Women
"Producer"/"other":									
"Producer"	3,604	1,180	33%	290	74	26%	509	175	34%
"Other"	2,735	1,067	39%	273	109	40%	457	196	43%
"% women faculty":									
"Higher women"	3,089	1,193	39%	268	99	37%	441	177	40%
"Lower women"	3,250	1,054	32%	295	84	29%	525	194	37%
TOTAL	6,339	2,247	36%	563	183	33%	966	371	38%

Note: The total is equal to the total of the "producer"/"other" categories and to the "% women faculty" categories. "All qualified" refers to the lists provided by law school personnel. Enrollment figures from the Review of Legal Education, Fall 1979.

Table 5.2

Distribution and Return Rate of Law
Student Questionnaires, by Sex and School Category

School Category	Total N Receiving Questionnaires	Total N Returning Questionnaires	% Returning Questionnaires
"PRODUCER"/"OTHER":			
"Producer":			
Men	122	56	46%
Women	77	42	55%
"Other":			
Men	164	84	51%
Women	111	76	69%
"% WOMEN FACULTY":			
"Higher Women":			
Men	146	79	54%
Women	105	74	71%
"Lower Women":			
Men	140	61	44%
Women	83	44	53%
TOTAL:			
MEN	286	140	49%
WOMEN	188	118	63%

Note: The total is equal to the total of the "producer"/"other" categories and to the "% women faculty" categories.

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Table 5.3

Demographic Characteristics of Law Student Sample, by Sex

Characteristic	Men (N=140)	Women (N=118)
Age (mean in years)	25.9 (sd=3.0)	27.8 (sd=7.9)
Race:		
White	97%	95%
Black	3%	5%
Marital Status:		
Not married	66%	65%
Married	34%	35%
Children (mean number):		
Under 5 years old	0.06 (sd=0.3)	0.03 (sd=0.2)
5-12 years old	0.02 (sd=0.2)	0.16 (sd=0.6)
Over 12 years old	0.02 (sd=0.2)	0.05 (sd=0.3)
No further education	76%	70%

Table 5.4

"Teaching Qualifications" of Law Student Sample, by Sex and Type of School

Qualification	Men (N=140)		Women (N=118)	
	N	%	N	%
"Producer "/"other" status (TOTAL):	140	100%	118	100%
"Producer"	56	40%	42	36%
"Other"	84	60%	76	64%
Class rank top 10% (TOTAL):	75	54%	58	49%
"Producer"	32	57%	22	52%
"Other"	43	51%	36	47%
Law review participation (TOTAL):	98	70%	90	76%
"Producer"	43	77%	33	79%
"Other"	55	66%	57	75%
Other journal participation (TOTAL):	42	30%	32	27%
"Producer"	18	32%	8	07%
"Other"	24	29%	24	20%
Author or coauthor publications (TOTAL):	76	54%	51	43%

Note: Percentages of "producer" and "other" with particular qualifications were figured by dividing the number of those men or women with the qualification by the total number of responses from those in their school category of their sex.

Table 5.5

Number and Percentage of Student Sample Who Have Considered Law Teaching As a Career Option, by Sex and School Category

School Category	Men			Women		
	Total N	N Yes	% Yes	Total N	N Yes	% Yes
"Producer"/"other":						
"Producer"	56	37	66%	42	24	57%
"Other"	84	36	43%	76	38	50%
"% women faculty":						
"Higher women"	79	36	46%	74	37	50%
"Lower women"	61	37	61%	44	25	57%
TOTAL	140	73	52%	118	62	53%

Table 5.6

Time of Decision When First Considered Law Teaching as a Career Option, Among Student Sample Considering Law Teaching as a Career Option, by Sex

When Decided to Consider Law Teaching	Men (N=72)		Women (N=60)	
	N	%	N	%
Before law school	17	24%	17	28%
During first year	29	40%	19	32%
After first year	26	36%	24	40%

Note: One man and two women of the 135 who considered law teaching did not provide information about the time of decision.

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Table 5.7

Desirability of Teaching Among Students Sample Considering Law Teaching as a Career Option, by Sex

Desirability of Teaching Compared to Other Types of Legal Work:	Men (N=73)		Women (N=60)	
	N	%	N	%
Preferred	28	38%	28	47%
Equal	41	56%	30	50%
Less desirable	4	6%	2	3%

Note: Two of the 62 women consdering law teaching did not provide information about the desirability of teaching.

Table 5.8

Variables Related to Students' Consideration of Law Teaching as a Career Option, by Sex
(Simple correlations)

Variables	Men (N=140)	Women (N=118)
Enjoyed law school (1=no, 2=yes)	01	32**
Received information about teaching (1=no, 2=yes)	51**	20*
Class rank (1=top 10%)	-04	-21*
Number female relatives on higher education faculty	-08	21*
Time for research and writing	35**	26**
Goal: help students (1=not important)	33**	45**
Goal: advance in organizational status (1=not important)	20*	28**
"Producer"/"other" school	-16	-07
"% women faculty" school	-14	-06

*p<.05
**p<.01

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Table 5.9

Number and Percentage of Student Sample Who Enjoy Law School, by Sex and School Category

School Category	Men			Women		
	Total N	N Enjoy	% Enjoy	Total N	N Enjoy	% Enjoy
"Producer"/"other" status:						
"producer"	55	40	73%	42	32	76%
"other"	82	61	74%	75	50	67%
"% women faculty":						
"higher women"	76	54	71%	73	53	73%
"lower women"	61	47	77%	44	29	66%
TOTAL	137	101	74%	117	82	70%

Note: Three of the 140 men and one of the 118 women did not answer this question.

Table 5.10

Number and Percentage of Student Sample Receiving Information About Law Teaching, by Sex and School Category

	Men			Women		
School Category	Total N	N Yes	%	Total N	N Yes	%
"Producer"/"other" status:						
"producer"	56	13	23%	42	5	12%
"other"	84	18	21%	76	15	20%
"% women faculty":						
"higher women"	79	14	18%	74	12	16%
"lower women"	61	17	28%	44	8	18%
TOTAL	140	31	22%	118	20	17%

Table 5.11

Student Perceptions of First and Second Most Common Channels through Which Law Teaching Jobs are Obtained, by Sex and School Category

Channel	Most Common Channel		Second Common Common Channel	
	Men (N=134)	Women (N=113)	Men (N=130)	Women (N=113)
"Old boys' network" (TOTAL):	21%	36%	49%	48%
"Producer"	25%	39%	61%	59%
"Other"	18%	35%	41%	42%
AALS activities (TOTAL):	2%	3%	7%	6%
"Producer"	2%	0	2%	0
"Other"	1%	4%	10%	10%
"Merit" (TOTAL):	66%	52%	34%	26%
"Producer"	60%	59%	25%	30%
"Other"	70%	49%	40%	24%
Luck (TOTAL):	2%	2%	4%	6%
"Producer"	2%	0	5%	10%
"Other"	1%	3%	4%	4%
Other (TOTAL):	8%	5%	5%	6%
"Producer"	12%	2%	2%	10%
"Other"	6%	7%	6%	4%

Note: Six of the 140 men and five of the 118 women did not provide information about the most common channel. Ten of the 140 men and five of the 118 women did not provide informatiuon about the second most common channel.

Table 5.12

Percentage of Law Students Reporting Reasons for Lack of Women on Law Faculties, by Sex

Primary Reason	Men (N=134)	Women (N=109)
Qualified women accept more lucrative or prestigious jobs	19%	28%
Not enough women yet with adequate qualifications	47%	28%
Women are less interested than men in teaching	6%	0
Women find law school more stressful than do men	0	0
Women are less aware of it as a career option	0	3%
Law schools do not want women on the faculty	7%	20%
Other	8%	7%

Note: Six of the 140 men and nine of the 118 women did not answer this question.

Table 5.13

Student Perceptions of Women in Law Teaching, by Sex, "Producer/Other," and "% Women Faculty" (adjusted means)

Variable	Sex		"Producer/Other"		"% Women Faculty"	
	Men (N=115)	Women (N=94)	"Producer" (N=75)	"Other" (N=134)	"Lower" (N=86)	"Higher" (N=123)
Women faculty are as competent as men.	1.93	1.97	1.77**	2.05**	1.88	1.98
Getting jobs at this school is more difficult for women than men.	1.96**	2.38**	1.98**	2.24**	2.43**	1.95**
Sex discrimination in law teaching is frequent.	2.06**	2.42**	2.10**	2.29**	2.43	2.08
At this school hiring standards for women are higher than they are for men.	1.90**	2.26**	1.89**	2.15**	2.20**	1.96**
At this school, promotion and tenure standards for women are higher than they are for men.	2.01**	2.28**	2.07	2.16	2.24	2.05

Note: 25 of the 140 men and 24 of the 118 women did not answer these questions.

**p<.01, significant main effect

CHAPTER VI

SUMMARY AND DISCUSSION OF MAJOR FINDINGS

The general finding of this study is that, while there are clear indications that progress has been made in incorporating women into law faculties, there are also problems which may hinder further progress.

The intent of this investigation was to ascertain the extent to which efforts were being made to increase the number of women on faculties and to explore the extent to which women faculty have become integral members of the law school setting. Data were obtained not with the intention of providing conclusive evidence about gender equity, but rather for the purpose of outlining areas which might prove problematic for the integration of women into an institution which consists primarily of men. Since the purpose was to provide an in-depth study of the issues, interviews were the primary mode of data collection. These interviews at 10 law schools, in addition to questionnaires and a comprehensive review and analysis of existing data, yielded information in three primary areas: 1) issues related to "numbers" as indicators of women's integration, 2) institutional issues bearing on women's integration, and 3) special problems of women in the law school setting.

"NUMBERS" ISSUES

The number and proportion of full-time faculty women has increased over the last six years. The percentage increased from approximately seven to 12 percent from 1973 to 1979, according to the Review of Legal Education. These RLE figures support the view that women are being integrated into law teaching and that the progress has been continuous. Some caveats, however, are important to note in this regard. First, data from several sources indicate that the RLE figures tend to inflate the number of women in tenure-track positions. Second, the absolute percentage increase has not been increasing annually (Table 1.13). Third, the AALS figure for 1979-80 (13.5 percent) is less than it was for 1978-79 (15 percent). Despite these qualifications, it is clear that there are more women in full-time law teaching now than there were 10 years ago.

Greater numbers of law schools are employing greater numbers of women on their faculties. In 1974, half of the schools employed either no women or, at most, one woman. In 1979, that percentage was reduced by half. In 1974, only 18 schools employed four or more women, according to the RLE; in 1979, 54 schools were in this category. While these figures are subject to the same potential inflation as are all RLE figures, they do indicate that a greater proportion of women are teaching at schools where there are other women.

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The status of women as measured by faculty rank appears to be improving. The percentage of teachers at each of the three ranks (assistant professor, associate professor, and full professor) who are women has increased in the last several years. Furthermore, the rates of promotion appear similar for men and women. Also evidence suggests that the tenure rates were not different for the tenure-track matched sample. These findings are unlike those in other areas of higher education, which indicate that women are promoted at a slower pace than are men (e.g., Ekstrom, 1979; Robertson, 1979). The fact that the number of women on law school faculties has only recently been substantial, however, points to the need for caution in making conclusions about these rates.

From several perspectives, the representation of women on law faculties appears reasonable. When comparing the RLE figures on JD graduates at the ABA-approved schools to the AALS statistics on "new hires," the percentage of available women graduates and the percentage of newly-hired women in 1980 were about a third. Furthermore, the Fossum (1980) study showed that approximately the same percentage of men and women graduates entered law teaching. Moreover, the percentage of AALS registrants who were women was smaller than the percentage of "new hires" who were women for the following year. Finally, the proportion of women attorneys is only slightly higher than the proportion of women law teachers.

These appear to be strong indications that women are adequately represented on law faculties; there are, however, other factors to consider before making such a conclusion. First, the figures about women's employment in law teaching are those compiled by the AALS and RLE and they are thus subject to the problems of inflating the percentage of women in tenure-track positions. When AALS figures and ABA figures of full-time law teachers at ABA-approved schools were compared for three corresponding years, the two sources reported different numbers as well as different percentages of women. From 1978 to 1979, the AALS percentage of women actually decreased. In all three cases, the AALS represented higher percentages than the RLE. Furthermore, two analyses suggested that even if the RLE accurately reported the percentage of full-time women, it did not accurately report the percentage of "tenure-track" individuals who were women. Specifically, Fossum's study of those individuals with "tenure-track" titles (assistant professor, associate professor, and full professor) reported a smaller percentage of the tenure-track faculty who were women than did the RLE for full-time women in that year. Also Table 3.4 in Chapter III shows a similar disparity concerning the 10 sample schools in 1979-80.

The implications of this limitation in the data base are significant. To the extent that these data are used to measure representation of women on faculties compared to a pool of qualified women, they may indicate adequate representation when in fact, it may not exist. Second, these data may be used to determine a "critical mass." It could be argued that the number of full-time women is the important consideration, rather than the number in tenure-track positions. This may be an inappropriate application of the critical mass theory, however; what matters may be a critical mass in opportunity (tenure-track) positions. As Kanter (1977a) and others have hypothesized, women in "non-opportunity" positions may exhibit stereotypical female behaviors and therefore reinforce the negative consequences of a "token status." If this were the case, having a critical mass of women in nontenure-track positions might create more obstacles to integration than it eliminates.

Another point to consider before concluding that women are adequately represented is that the number of women is still relatively small. Along similar lines, it is important to note that the percentage of "new hires" appears to be a better measure of current practices than the percentage of total faculty who are women, since the number of men already in law teaching is so large. This observation also applies when comparing the percentage of law teachers who are women to the percentage of women lawyers. In other words, the statistical impact of one woman entering law teaching is greater than one woman entering practice. The implications of this difference demand further investigation, especially in light of the fact that the proportion of women lawyers rose more over the last several years than did that of women law teachers. It is not clear whether this is primarily because: 1) there are not as many job openings in law teaching as in private practice, 2) the number of male law teachers is increasing at a faster rate than the comparable rate of men in practice, 3) the proportion of women who are entering law teaching is decreasing, or 4) some other reason.

Additionally, many schools still have only a "token" number of women. According to 1979-80 RLE data, over half of the law schools still employ two or fewer women on their faculties. Furthermore, the small numbers in these schools cannot be totally explained by their geographical location. Thirty-one schools employing two or fewer were in high population (over 250,000) cities. These findings indicate that in at least half the law schools, women law teachers may be facing pressures of tokenism.

Another fact to consider about women's representation on law faculties is that the "producer" schools, as a group, appear to have integrated women less effectively than have the nation's law schools as a whole. The findings of Chapter III revealed that, while the RLE reports in all school categories tended to inflate the number of women, the biggest gap was found in the "producer" schools. In the last six years, nine out of the "top 10" (which are all "producer" schools) reported a percentage of full-time teachers who were women which was less than the national average. This is in light of the fact that four of the 20 "producer" schools are in high population areas. Several analyses were also conducted concerning sex differences in the proportion of all law teachers who were found at these schools. While the differences were not that great between the proportion of men and proportion of women, according to every analysis, the trend was that a greater percentage of men than of women law teachers were teaching at prestigious schools.

In summary, while the numbers provide evidence that progress has been made in the integration of women into law faculties, caution is urged in drawing conclusions about the adequacy of that integration. There are limitations in the existing data bases so that a complete report on women's status at a national level is unobtainable. The population of women on law faculties is a recent one, for the most part, and consequently a final assessment about equity in promotion and tenure rates is premature. Many schools still have only a token number of women, and furthermore, those schools which dominate the legal education community have fewer women than the national average.

INSTITUTIONAL ISSUES

Other indications of the integration of women are factors which reveal the treatment of women by the institution. Those assessed in this study were time spent with students, research resources, salaries, and efforts to hire women.

Time with Students and Research Resources

Similarly qualifed men and women law teachers at the 10 sample schools were similar on several variables measuring their institutional integration. No differences were found between the men and women in their weekly teaching load and in the amount of time spent with students. Furthermore, the same percentage of men and women reported receiving research assistants, institutional research grants, and reduced teaching loads for research purposes.

These findings suggest that some previous observations about women in higher academics--that they spend more time with students, have greater teaching and administrative responsibilities, and receive fewer research resources than do men--may not apply to women in law teaching. Two qualifications of the study's findings, however, may make them more consistent with these other views. First, the standard deviations of the means appeared greater among the men than the women in spending time with students, suggesting that the amount of time spent with students is more consistent among the women than among the men. In other words, some men may spend very little time with students, while most of the women spend close to the average amount reported. Also there appeared to be greater variation among women than among men in time spent in administrative activites; this suggests that there may be certain women who take excessive responsibilities, while others may be marginal in their participation.

Two caveats also must be made with respect to research resources. There were indications that more men tended to receive paid research leave than did women. It is not clear whether, if this were true, women requested it less (as one woman said, she did not need the money as much as did people with families) or received it less often once requested. A second qualification is that even though men and women may have had similar research resources, women reported spending less time on the average in research and writing than did men.

Salary Information

At the ranks of assistant and associate professor, the mean salaries of the men and women were similar. Based on data provided by the administration of the law schools in the sample, the mean salaries for men and women at the assistant professor level were similar. The same similarity existed at the associate professor level. However, at the associate professor level, the average high salary was about $6,000 less for women than it was for men. At the full professor level, the mean salary for women was approximately $3,300 less than for men. The average high salary at the full professor level was about $8,000 more for men than it was for women. Similar patterns emerged when controlling for years since JD was obtained.

These discrepancies suggest that sex inequities may exist in salaries. It is crucial, however, to note the qualifications on these findings: the analyses were not controlled by qualifications and the control for years since JD may be problematic because of the large time range within each category. Thus the conclusion to be drawn from these salary figures is not that sex inequities clearly exist; these figures do show, however, sex differences in salary, and further examination is required to determine the explanation for these differences.

Efforts to Hire Women

Law schools appeared to be making special efforts to identify qualified women law teaching candidates.

In the AALS Recruitment Conference sample, women on the average had more requests for Conference interviews than did men. This pattern was reflected in the matched-pair interviews, where the four women had a total of 107 AALS requests, compared to 76 for the men. Furthermore, faculty applicants and faculty members indicated in the interviews that they thought schools were making concerted efforts to identify qualifed women. Also, 24 of the 52 faculty women volunteered that the encouragement of an individual affiliated with the universities (usually dean or faculty members) was an important factor in their decision to teach at that school. Finally, both in the AALS matched-pairs and the total matched faculty, about the same percentage of men and women reported mentors, networks, and sponsors. These attempts to integrate women into law teaching are reflected at least in part by the fact that approximately one-third of the "new hires" reported by AALS for 1979-80 were women.

These are all positive signs that, on a structural level, schools are making special efforts to identify qualifed women. However, while the formal processes operate to women's advantage, evidence showed that other factors may operate to their disadvantage. A greater percentage of women than men in the AALS sample reported job-search difficulties. One subtle factor was the impression held by some members of the recruitment sample, faculty sample, and student sample: that these special efforts to identify women implies reducing hiring standards for them. Others noted that this implication was inappropriate, since the special efforts were being made to identify women, not to judge them in a different light than men once they have been identified. Furthermore, it was noticed that even if a woman may be selected over a "more qualified" man, the woman still surpassed the expected competency level for a new teacher. Several people observed that it was not necessarily lowering standards to consider teaching applicants other than those Supreme Court clerks who had been on law review and had graduated in the top five percent from a prestigious law school. As was indicated in anecdotes from the AALS and student questionnaires and faculty comments, many people felt that these were not necessarily the best indicators of teaching effectiveness. Furthermore, they noted that women tended not to take the same traditional route as similarly qualified men. This untraditional route was corroborated at several points. In the AALS applicant sample, more men had "producer" degrees than did women, but there were indications that women had performed somewhat better at the schools they had attended. Secondly, in the faculty sample, significantly more women than men reported having engaged in "other types of legal experience." Third, the percentage of students in the total "qualified group" who were women, especially at "producer" and "lower % women" schools, tended to be greater than the proportion of women law review members.

There are other important caveats on the "increased efforts" findings. At least four sources of information provided evidence that AALS Conference interviews did not reflect job offers. First, only a quarter of the "new hires" had attended the Recruitment Conference. Secondly, a greater percentage of men than women at the Recruitment Conference had pre-conference contact (e.g., interviews or actual offers). Third, even though the women in the AALS matched-pairs had more interviews, they received fewer offers than did their male matches. Finally, some AALS recruitees and recruiters, in addition to faculty members and students in the sample, suggested that the AALS interviews were used primarily to satisfy affirmative action requirements; in other words, even though positions may not have been available, faculties interviewed prospective women applicants.

Another important point to note is that there were indications in the literature review and from the faculty applicants, faculty members, and students, that the informal processes operate to women's disadvantage at two possible levels. First, women may be judged more strictly at the application stage than are similarly qualified men, and secondly, they face additional performance pressures once hired if they are viewed as "affirmative action" hires.

One final caveat concerns the results of such increased efforts. The "heartening" AALS figure of women constituting one-third of the 1979-80 "new hires" does not indicate which of these are tenure-track positions. Furthermore, it is important to recall that, even though one-third of the new hires were women, this reflects an average increase of one woman per school. When taking into account the attrition rate of women, it suggests that the new hires might not affect the token status of women at many institutions.

In summary, differences in the treatment of men and women faculty by the law school as an institution were difficult to detect. Teaching loads and resources for the most part appeared similar. Mean salary differences were not found at the assistant and associate professor levels. And evidence indicated that schools have made concerted efforts to hire women. On the other hand, there was some evidence that more men may receive paid research leave. And, while the explanations for salary differences are unknown, women at the full professor level made considerably less than men. Also, the concerted efforts to identify women in the hiring process do not necessarily reflect actual job offers, and these efforts may leave the negative impression that standards are being lowered. The fact that women were 30 percent of the "new hires" in 1979-80 is a positive reflection of these special efforts; however, the proportion of those in tenure-track positions is unknown. Thus, these results are mixed.

SPECIAL PROBLEMS OF WOMEN IN LAW TEACHING

This study found that women faced obstacles which men did not in the process of entering law teaching, as well as in their faculty positions. Indeed, over half of the women and a third of the men indicated that women have special problems in adjusting to the law teaching environment. Indications of this came from all the samples in the study. These obstacles can be viewed as a consequence of women's token status; in other words, they result from the fact that there are still few women in law teaching. These obstacles converge on the following issues: access to the professional network,. research productivity, and performance pressure.

Access to the Professional Network

There are indications that an "old boy network" still exists, and that differences exist in the extent to which men and women are an integral part of this network. Data from the AALS revealed that only a quarter of the "new hires" had been Conference registrants. Since some of these new hires may also have had other contacts with schools, the actual percentage of people getting job offers through AALS alone may be even less than the 25 percent figure. In addition, about a quarter of the people in the faculty sample did not even conduct a job search; the number with no job search rose to 40 percent for those with a second faculty position. Furthermore, a large precentage of the students cited the "old boy network" as a primary or secondary channel through which law teaching jobs are obtained. Moreover, the fact that 60 percent of all law teachers in 1975-76 were graduates of only 15 percent of all law schools extends the notion of a network within the legal education community.

There were also indications that women were not as "plugged in" to this network as were men. While the same percentage of men and women reported mentors (about 60 percent in AALS recruitment sample) and sponsors (half in the faculty sample), there were many signs that men and women were not similarly integrated into this system. Many women (more so than men) conveyed anecdotally that their sponsors were clearly not mentors, and some specifically made comments that women were not as "plugged in." AALS matched-pair interviewees and respondents in the student sample also made similar comments.

In both the faculty sample and the student sample, fewer women than men reported having received information when they were in law school about teaching as a career option. Furthermore, in the student sample, receipt of such information was related to consideration of law teaching, although more so for the men than for the women. Some faculty explained this absence of information by the lack of women role models. Indeed, 20 percent more men than women faculty reported any role models, male or female. Furthermore, the finding that having a female relative on a college faculty was significantly related to women students' consideration of entering law teaching (but not male relatives for the men) suggests that such role models may encourage women's entry.

These data suggest that an inside network still exists. Furthermore the perception obtains among some women that it is a sine qua non for integration into law faculties and that they are not a part of it. This perception, regardless of its accuracy, would undoubtedly affect women's decisions to enter law teaching. The most effective way to determine the extent to which such network processes filter out women is to investigate reasons why those who had considered teaching did not ultimately teach. Nevertheless, the evidence from this study clearly indicates that such a network is perceived to exist, and that women may have less access to it.

Research Productivity

Evidence from this study suggests that research productivity may be more problematic for women than for men. Several studies have spoken to the issue of academic men's and women's productivity (e.g., Centra, 1974; Ekstrom, 1979; National Research Council, 1979). Throughout this study, there were signs that productivity may be an area for concern. AALS figures about 1979-80 law teachers showed that 39 percent of the men but only 16 percent of the women had "separately published" works. There are two important points to note regarding this statistic. First, the AALS "separately published" figures do not include law review pieces. Second, there was less difference between the newly hired men and women than existed in the "total" group of law teachers for that year; only six percent fewer women than men reported no publications among the new hires, but 23 percent fewer women in the total group gave that report. This is consistent with Reskin's (1978) study which suggests that women's productivity is especially affected by being in positions of opportunity and collegial atmospheres; the implication is that law schools may constitute an environment that women perceive as unreceptive to them, and that remaining in such an environment may result in gender differences in productivity. This hypothesis demands further investigation for confirmation, perhaps in a longitudinal study.

In the faculty sample, evidence also suggests differences in productivity. Ten percent fewer women than men in the tenure-track matched sample reported sole-authored articles. Also, 18 percent fewer women than men had published more than one article. The data also showed that women reported spending an average of five and half hours less a week of time in research and writing than did men. Also in the student sample, 11 percent fewer women than men reported authoring or co-authoring a publication.

The body of evidence about productivity rates suggests that there may be differences in productivity. Women applicants and faculty members were similar to men in their aspirations and expectations concerning research and writing. This suggests that any differences in productivity may not be explained by a different value placed on research and writing. It is interesting to note, however, that women applicants did seem concerned with research and writing when they were asked open-ended questions. Specifically, approximately 16 percent more women than men cited a "desire to research and write" as a major reason for entering law teaching, and 18 percent more women than men cited the "pressure to publish" as a major drawback. This apparent inconsistency or ambivalence--the desire to write as well as the concern over the pressures to publish--marks behavior which Kanter (1977b) hypothesizes is characteristic of tokens. Further investigation of these suggested patterns of differences may find them insignificant. And, as the National Research Council report (1979) states, until substantial numbers of women have had access to positions of opportunity which would allow research productivity, it is premature to draw conclusions about gender differences. Nevertheless, if the aim is to identify areas which may be problematic to women's integration, the data indicate that research productivity may constitute an area of concern for women to a greater degree than for men.

Performance Pressure

According to Kanter (1977a), the visibility of tokens generates performance pressure which is not experienced by members of the dominant group. Consistent with her hypothesis, the study's data yielded evidence that women law teachers did experience greater performance pressure than did their male counterparts. Following Kanter's theory, the visibility of women on law faculties, which results from the fact that they are so few in number, has identifiable consequences: differences between men and women become exaggerated, credibility becomes an issue for women, and women may feel constrained by stereotypical expectations. These factors, in turn, create performance pressure, and as a consequence, that pressure may actually affect performance.

Anecdotal data from both men and women supported the notion that gender differences may be exaggerated. That women talk about men's "locker-room conversations" and that men comment on "women's gatherings" serve to emphasize gender differences. This emphasis may perpetuate differences and be generalized to other settings related to academic performance. Such an emphasis on differences may be unwarranted and may result in the isolation of the women from the men on the faculty.

Women may also find it more difficult than men to gain credibility as a law teacher because of their token status and the resulting "differences" from what is the general expectation for a law teacher. Students, in particular, were seen as a primary source of this type of pressure. The general view was that students tended to challenge women teachers more than men teachers. Comments ranged from the need for women to prove their competence (as opposed to having it assumed, as with men) to women undergoing "torture in the classroom." The men students were seen as providing more obstacles than the women students, often with attitudes characterized by skepticism, defensiveness, or hostility. Additionally, data from the student questionnaires showed that students at "producer schools" reported that they thought women from whom they had taken courses were less competent than the men.

Credibility was also an issue with colleagues; women reported incidents of their comments and suggestions being ignored by their male colleagues. Some men made comments that indicated that they did not in fact, find women credible as law teachers; more often, men expressed concern that women should behave in such a way that their credibility could not be questioned. The perception of credibility as a problem for women may create performance pressure for them; this perception, whether it is held by the women, by their male colleagues, or by the students, lays a burden of continual proof of credibility on women. This hypothesis is consistent with the finding that women reported spending more time than did the men in class preparation. This would be expected as a consequence of feeling greater pressures to perform: women prepare more in order to confront the additional classroom challenges. This in turn may decrease the amount of time spent in research and writing; and, as mentioned previously, the average time reported by women in research activity was 5.5 hours less per week than that which men reported. Clearly, the credibility issue has consequences for performance.

The visibility of tokens also may lead to what may be termed "role entrapment" (Kanter, 1977a). In other words, the behavior of faculty women may be affected by expectations for stereotypical female behavior. Such expectations, held by both men and women students and faculty, may lead to inhibition of certain behaviors women think may label them as "typically female." Such a consequence was reflected in the comment from a woman that she wanted to "avoid creating the wrong impression of how women might react in a stimulus situation," and as a result, she refrained from making criticisms to colleagues so that she would not be labeled "catty" or "hysterical."

This need to avoid stereotypically female behavior may lead further to the adoption of stereotypical characteristics of the dominant group, resulting in what has been termed the "queen bee"syndrome. Anecdotal data provided evidence that there were some women faculty members who were, in the queen bee mode, aloof and unsupportive of other women.

Another consequence of expectations for stereotypical female behavior may be the "pigeon-holing" of women into certain professional roles. For example, a male faculty member advised his female colleague to avoid the topic of sex discrimination as a specialty, since it was a "women's specialty" and not viewed as "hard law."

The ultimate complication of role entrapment is the "double bind": women's success in one way is a failure in another. This was illustrated by the words of a male faculty member, who reported that the recruitment committee selected only "good girls," but that the competitive nature of his school made it "impossible for them to survive."

Thus the data corroborated the notion that women face more performance pressures as faculty members. They are scrutinized more closely and singled out in conversation as a special group. The question of their perceived credibility does exist within the faculty, but more importantly it exists with the students. And there is evidence of some conflict between a woman's "performance" as a woman and her "performance" as a faculty member. The extent to which such performance pressures affect the integration of women into law teaching is unclear; the evidence appears clear, however, that such problems have validity in the consideration of obstacles which may hinder women in that process.

SUMMARY

The positive findings of this study do not outweigh the need for further examination of areas of concern in the integration of women into law faculties. More specifically, these areas include the status of women as reflected in the current data bases in the legal education community and the reassessment of women's promotion and tenure status after a substantial number have had sufficient time to advance in these positions. Salary differences also suggest a need for examination in this area, as well as in the area of research productivity. Suggestions for further research in these areas are made in the following chapter.

CHAPTER VII

RECOMMENDATIONS

This chapter contains recommendations primarily for research, based on needs which have been identified from the study's findings. Additional recommendations will be made to the legal education community in an executive summary, following further review and discussion of the findings by the advisory committee.

Recommendation 1:

The promotion rates and tenure status of women on law faculties need reassessment in three to five years.

At this point, there are still relatively few women on law faculties, and the amount of time in these positions for the majority is inadequate to evaluate conclusively the rates of promotion and the award of tenure. In five years, access to such opportunities should have increased, and consequently measures of these variables will be of greater significance in assessing women's status. The obstacles to women's full integration as reported in this study appear of sufficient magnitude to disallow the notion that the integration of women will occur naturally with the passage of time. Thus a reevaluation is necessary.

Recommendation 2:

There is a need to examine the attrition rate of women in law teaching.

Until a comparison is made between women and men in their rates of leaving law teaching, the assessment of women's integration is incomplete. Lawyers have the pull of higher salaries outside education, and women in law teaching typically have the qualifications which would be in demand elsewhere. This pull of other employment possibilities coupled with the obstacles and problems for women outlined in this investigation suggest the hypothesis that gender differences may exist in attrition rates.

Such a study might be efficiently conducted by the tracking of women and men through the Law Teachers Directory over the past five years. Questionnaires or brief interviews with a sample of those who had left teaching would obtain information about reasons for leaving, current employment, and future plans about possible reentry.

Efforts to hire additional faculty women serve little purpose if the law school setting is not conducive to their full integration; the attrition rate is an essential measure of that integration.

Recommendation 3:

The current data bases in the legal education community need revision.

The ABA's Review of Legal Education (RLE) and the AALS Directory of Law Teachers are valuable and unparalleled sources of information. Through these two sources, information may be collected for a review of the status of women on an annual basis. Currently, the inconsistencies in the data leave some important questions unanswered.

In the RLE, data need to be collected by gender and by rank on salary and on tenure status. The number of visiting professors should be tabulated separately, since not doing so precludes the assessment of the actual number of faculty members at a particular school. For the Directory data collection, the definition of publications needs to be precise in order to clarify problems related to research productivity. Coordination between these two groups in the information-gathering would be helpful on many issues to the legal education community.

Recommendation 4:

The extent to which "network" processes may exclude women from entering law teaching needs to be assessed.

The study provided evidence that channels other than the Recruitment Conference were used for hiring purposes, and that a substantial percentage of men and women perceived the existence of an "old boys' network." While as many women as men who did enter teaching reported having had "sponsors," there was no way to examine in this study those women who failed to enter teaching because of the lack of such a sponsor.

This issue might be approached in a longitudinal study using a sample of law students considered to have potential for teaching. Those men and women who, in fact, did consider teaching would be tracked for three to five years following graduation; access to sponsors and networks and attitudes toward the use of sponsors would be determined and related to actual entry into law teaching. Findings from such a study may prove useful for women in other academic settings, as well as to women entering other male-dominated professions.

Recommendation 5:

The process by which women may be selecting or may be channeled into "women's specialties" in legal education needs investigation.

The role entrapment issue for women is a real concern among law faculty members. If women are either tending to select substantive areas viewed by others as "women's specialties," or if they are being channeled into such areas by various pressures or processes, such specialization may have implications for their integration. Since women's specialties may not be perceived as containing sufficient substance from a traditional legal education standpoint, the evaluation of women in these areas may be negatively affected.

This examination might entail a brief survey to determine the substantive areas which connote "women's specialty." In a sample of faculty women, indications of integration could be correlated with substantive specialties, and additionally, anecdotal data could be collected about explanations for choices of substantive areas.

Recommendation 6:

The nature of the research productivity issue needs to be more accurately defined and evaluated.

Current data from this study and other sources are insufficient to go beyond the suggestion that gender differences may exist in this area. The legal education community is unusual in its potential for studying this concern, because compared to other academic settings, the universe of research and writing possibilities necessary to meet the test of sufficient competency in legal education is relatively well-defined in regard to quantity and quality.

In order to more precisely evaluate the productivity issue, the population of women in untenured but tenure-track faculty positions could be compared with a sample of men on productivity variables. The measures of productivity need to be defined with great care and specificity. Both type of publication and categories of content need to be delineated, since for example, law review articles are evaluated differently from briefs, and "hard law" subjects are viewed differently from nontraditional content. These data should be analyzed not only by gender, but also by type of law school, since environment and resources at "producer" schools or at schools with fewer women faculty may affect productivity in a different way than the circumstances at other schools. It would also be helpful to obtain data on women's attitudes about research and writing; Reskin's study (1978) and a recent article in the Chronicle of Higher Education (K. O'Connor, Nov. 3, 1980, p. 25) address these issues.

As the market for faculty positions tightens, productivity will undoubtedly increase in importance as a factor in hiring and promotion. Thus the need for its assessment as a particular issue for women is apparent.

Recommendation 7:

Data collected in the current study in interviews with law school deans and members of faculty committees should be analyzed and reported.

The comprehensiveness of the data collection did not allow for all the information to be completely analyzed and reported during the nine-month project period. The incomplete analyses concern the following issues: description of efforts made by personnel committees to recruit faculty women, the use of student evaluations in hiring and promotion, the role of the dean in the integration of women, the nature and use of criteria for hiring and promotion, and the decision processes in hiring and promotion which may affect women's integration. The anecdotal information in these areas may shed light on problems of women's integration in other male-dominated academic settings.

Recommendation 8:

An in-depth case study of a law school which is considered "successful" in the integration of women into the faculty would be highly informative and would serve as a model for other law schools.

Such a study might examine the following factors: the role of the dean in the integration of women, the role of women on hiring and promotion committees, voting procedures in hiring and promotion processes, women's attitudes toward other women faculty members, colleague support, method of colleague evaluations, the nature of the criteria for hiring and promotion, the use of student evaluations, the qualifications of the women on the faculty, and student and faculty perceptions of women faculty's competence. With the current study providing a context for comparison, this type of detailed case study would be most useful for those law schools that are making efforts to integrate women but finding those efforts less than successful.

* * * * *

These recommendations should serve as a basis for further discussion and research concerning the integration of women into law faculties. Additionally, such studies would provide information applicable to the integration process for women in other academic settings.

BIBLIOGRAPHY

Academic freedom and tenure. *AAUP Bulletin*, 1979, *65*, 228-239.

Adams, V. Aggressiveness no bar to women. *The Chicago Tribune*, 1979, Dec. 2.

Almquist, E.M. and Angrist, S.S. Role model influence on college women's career aspirations. *Merrill-Palmer Quarterly*, 1979, *71*, 263-279.

Annual Report of the American Bar Association. Chicago: American Bar Association, 1975, *97*.

Approval of Law Schools: American Bar Association Standards and Rules of Procedures as Amended. Chicago: 1979, American Bar Association.

Aries, E. Interaction patterns and themes of male, female, and mixed groups. Paper presented at the American Psychological Association Annual Meeting, New Orleans, 1974.

Ashburn, E.A. Influences and motivations for black and white women to attain positions in a male-dominated profession. Unpublished dissertation. State University of New York at Buffalo, 1979.

Ashburn, E.A. Motivation, personality, and work-related characteristics of women in male-dominated professions. *Journal of the National Association for Women Deans, Administrators, and Counselors*, 1977, Monograph No. 2.

Ashe, R.L., Jr. Representing the private employer in affirmative action compliance. Paper presented at American Bar Association National Institute on Affirmative Action, Washington, D.C., May, 1980.

Association of American Law Schools. *Directory of Law Teachers*. St. Paul, Minn.: West Publishing Co., Editions 1973 through 1979-80.

Association of American Law Schools. Law teacher statistics. *AALS Newsletter*, 1979, May 2.

Astin, H.S. and Bayer, A.E. Sex discrimination in academe. *Educational Record*, 1972, *53*, 101-118.

Baird, L.L. A survey of the relevance of legal training to law school graduates. *Journal of Legal Education*, 1978, *29*, 264-294.

Barnes, J. Women and entrance into the legal profession. Journal of Legal Education, 1971, 23, 276-303.

Barry, K.H. and Connelly, P.A. Research on law students: An annotated bibliography. American Bar Foundation Research Journal, 1978, 4.

Bayer, A.E. and Astin, H.S. Sex differentials in the academic reward system. Science, 1975, 188, 796-802.

Bennis, W. False grit. Savvy, 1980, June, 43ff.

Bernard, J. Academic Women. University Park, Pa.: Pennsylvania State University Press, 1964.

Bernay, E. Affirmative inaction. Ms., 1978, Nov., 87-90.

Blaska, B. Women in academe -- The need for support groups. Journal of the National Association of Women Deans and Counselors, 1976, 39, 173-178.

Blau, P.M., Cullen, J.B., Margulies, R.Z., and Silver, H. Dissecting types of professional schools. Sociology of Education, 1979, 52, 7-19.

Blau, P.M. and Margulies, R.Z.The reputations of American professional schools, Change, 1974, 10, 42-48.

Block, R.N. Legal and traditional criteria in the arbitration of sex discrimination grievances. Arbitration Journal, 1977, 32, 241-255.

Brant, W.D. Attitudes towards female professors: A scale with some data on its reliability and validity. Psychology Reports, 1978, 43, 211-214.

Broverman, J.K., Broverman, D.M., Clarkson, F.E., Rosenkrantz, P.S. and Vogel, S.R. Sex-role stereotypes and clinical judgements of mental health. Journal of Consulting and Clinical Psychology, 1970, 34, 1-7.

Brown, G.H. Degree Awards to Women: An Update, Washington, D.C.: National Center for Education Statistics, DHEW, 1979.

Brown, W. Sex discrimination persists in workplace, women's groups say. The Washington Post, 1980, April 29, A18.

Bureau of Labor Statistics, Employment and Earnings. Washington, D.C.: U.S. Department of Labor 1978-80 editions.

Bysiewicz, S.R. 1972 AALS questionaire on women in legal education. Journal of Legal Education, 1973a, 25, 503-513.

Bysiewicz, S.R. Women penetrating the law. Trial, 1973b, 9, 27.

The Cartter Report on leading schools of education, law, and business, Change, 1977, Feb., 44-48.

Centra, J. Women, Men and the Doctorate. Princeton, N.J.: Educational Testing Service, 1974.

Chamberlain, A. The old girl system. Book World, The Washington Post, 1980, April 6, 6.

Churgin, J.R. The New Woman and the Old Academe: Sexism and Higher Education. Roslyn Heights, N.Y.: Libra Publishers, 1978.

Coates, T.J. and Southern, M.J. Differential educational aspiration levels of men and women undergraduate students. The Journal of Psychology, 1972, 81, 125-128.

Cohen S. and Bunker, K. Subtle effects of sex role and stereotyping on recruiter's hiring decisions. Journal of Applied Psychology, 1975, 60, 566-572.

Colorado Advisory Committee to the U.S. Commission on Civil Rights. Access to the Legal Profession in Colorado by Minorities and Women, 1976.

Coltstein, E. Effect of same-sex and cross-sex role models on the subsequent academic productivity of scholars. American Psychology, 1979, 43, 407-410.

Costick, R.M., Hereth, F., and Cirksena, K. Nonsexist Career Counseling for Women: Annotated Selected References and Resources. San Francisco: Women's Educational Equity Communications Network, DHEW, 1978.

Crawford, M. Climbing the ivy-covered walls. Ms., 1978, Nov., 61ff.

Curtis, Zanna, and Campbell. Sex, fear of success, and the perception of law school students. American Educational Research Journal, 1975, 12, 287.

Daniels, A.K. Development of feminist networks in the professions. Annals New York Academy of Sciences, 1979, 215-227.

David, D. Male values and female professionals: Women in science and engineering. Research Issues in the Employment of Women: Proceedings of a Workshop. Washington, D.C.: National Academy of Sciences, 1974.

Days, D.S. Affirmative action : The government's perspective. Paper presented at American Bar Association National Institute on Affirmative Action, Washington , D.C., May 1980.

Dearman, N.B. and Plisko, V.W. The Condition of Education. Washington, D.C.: National Center for Educational Statistics, DHEW, 1979.

Deaux, K., and Emswiller, T. Explanations of successful performance on sex-linked tasks: What is skill for the male is luck for the female. Journal of Personality and Social Psychology, 1974, 29, 80-85.

DiBiase, E.R. Tenure, alternatives-to-tenure, and the courts. Paper presented at the American Educational Research Association Annual Meeting, Boston, 1980.

Dinerman, B. Sex discrimination in the legal profession. American Bar Association Journal, 1969, 55, 951-954.

Dipboye, R., Arvey, R. and Terpstra, D. Sex and physical attractiveness of raters and applicants as determinants of resume evaluations. Journal of Applied Psychology, 1977, 62, 288-294.

Directory of law teachers data. AALS newsletter, 1975, 1979, May 9, 3.

Divine, T.M. Women in the academy: Sex discrimination in university faculty hiring and promotion. Journal of Law and Education, 1976, 5, 429-451.

Do more women doctors and doctorates = more women faculty and administrators? Women in Medical Academia, 1977, 1, 7.

Donald, M.D., Dawkins, S.M., Lovasich, J.L., Scott, E.L., Sherman, M.E. and Whipple, J.L. Application of multivariate regression studies of differences between men and women faculty salaries. Proceedings of the American Statistical Association, 1973.

Dressel, P.L. Handbook of Academic Evaluation, San Francisco: Jossey-Bass Publishers, 1978.

Driscoll, J.B., and Hess, H.R. The recruiter: Women's friend or foe? Journal of College Placement, 1974, 34, 42-48.

Ekstrom, R. Women faculty: development, promotion, and pay. Findings, 1979, V, 1-5.

Eldridge, D. A comparison of women's faculty salaries and earned degrees. Paper presented at the American Statistical Association Meeting, San Diego, 1978.

Epstein, C.F. The partnership push. Savvy Magazine, 1980, March, 29ff.

Epstein, C.F. Woman's Place: Options and Limits in Professional Careers. Berkeley: University of California Press, 1970.

Epstein, C.F. Women and Professional Careers: The Case of the Woman Lawyer. University Microfilms, Ann Arbor, Mich., 1969 69- 188.

Erlanger, H.S. and Klegon, D.A. Socialization effects of professional school: The law school experience and student orientations to public interest concerns. Law and Society Review, 1979 13, 11-35.

Faculty compensation: Salaries and fringe benefits for full-time faculty members at 2,500 colleges and universities. The Chronicle of Higher Education, 1978, July 17, 26, 9-12.

Faia, M.A. Discrimination and exchange: Double burden of the female academic. Pacific Sociological Review, 1977, 201, 3-20.

Farber, S. Earnings and promotion of women faculty. American Economic Review, 1977, 67, 199.

Farley, J. Academic recommendations: males and females as judges and judged. AAUP Bulletin, 1978, 64, 82-85.

Farrell, K., Witte, M.H., Holguin, M., and Lopez, S. Women physicians in medical academia. Journal of the American Medical Association, 1979, 241, 2808-2812.

Feldman-Summers, S. and Kiesler, S. Those who are number two try harder: the effect of sex on the attributions of causality. Journal of Personality and Social Psychology, 1974, 30, 846-855.

Feldman, S.D. Escape from the Doll's House: Women in Graduate Education and Professional School. New York: McGraw Hill, 1974.

Ferber, M.A. and Huber, J.A. Sex of student and instructor: A study of student bias. American Journal of Sociology, 1975, 80, 949-963.

Ferber, M.A. and Loeb, J.W. Performance, rewards and perceptions of sex discrimination among male and female faculty. American Journal of Sociology, 1973, 78, 995-1002.

Fidell, L.S. Empirical verification of sex discrimination in hiring practices in psychology. American Psychologist, 1970, 25, 1094-1098.

Fields, C.M. Court conditionally orders college to award tenure. The Chronicle of Higher Education, 1980, March 3, 9.

Fields, C.M. Courts are rejecting most charges of sex bias made by women professors. The Chronicle of Higher Education, 1977, 15, 1ff.

Fossum, D. Law professors: A profile of the teaching branch in the legal profession. American Bar Foundation Research Journal (forthcoming).

Fossum, D. Professional prestige and the presence of women. Unpublished manuscript. Buffalo: Department of Sociology, SUNY, 1980.

Freeman, B.F. Faculty women in the american university: Up the down staircase. Higher Education, 1977, 6, 165-188.

Frieze, I.H. Women's expectations for and causal attributions of success and failure. In Mednick, M.T., Tangri, S.S., and Hoffman, L.W. (Eds.). Women and Achievement. New York: John Wiley & Sons, 1975.

Fury, K. Topping out. Savvy, 1980 (August), 24ff.

Galassi, J. P., and Galassi, M.D. Preparing individuals for job interviews: Suggestions from more than 60 years of research. The Personnel and Guidance Journal, 1978, 188-192.

Gappa, J.M., and Uehling, B.S. Steps to Greater Equality: Women in Academe. Washington, D.C.: AAHE-ERK/Higher Education Research Report No. 1, 1979

Gee, E.G., and Jackson, D.W. Bridging the gap: Legal education and lawyer competency. Brigham Young Law Review, 1977, 695-990.

Gilmartin, K.J. The status of women and minorities in education: A social indicator feasibility study. Paper presented at the American Educational Research Association Annual Meeting, Boston, April 1980.

Ginger, A.F. Women advocates in hostile forums. Guild Practitioners, 35, 1978, 25-32.

Ginsburg, R.B. Women as full members of the club. Human Rights, 1976, 6, 1-2.

Glancy, D.J. Women in law: The dependable ones. Harvard Law School Bulletin, 1970, 21, June, 22-23. Discussion 1970, Oct., 22.

Gold, A. Reexamining barriers to women's career development. *American Journal of Orthopsychiatry*, 1978, *48*, 690-702.

Goldberg, P. Are women prejudiced against women? *Transaction*, 1968, *28*, 30.

Goldstein, J.M. Affirmative action: Equal employment rights for women in academia. *Teachers College Record*, 1973, *74*, 395-422.

Greenfield, E. From equal to equivalent pay: Salary discrimination in academia. *Journal of Law and Education*, 1977, *6*, 41-62.

Gross, E. Universities as organizations: A research approach. *American Sociological Review*, 1968, *33*, 518-544.

Grossblat, M. and Sikes, B.H. (Eds.). Women Lawyers: *Supplementary Data to the 1971 Lawyer Statistical Report*. Chicago: American Bar Foundation, 1973.

Guyer, I. and Fidell, I. Publications of men and women psychologists. *American Psychologist*, 1973, *28*, 157-160.

Guthrie, R.C. and Morgan, C. Private universities and affirmative action. Paper presented at American Bar Association National Institute on Affirmative Action, Washington, D.C. May, 1980.

Halcomb, R. Mentors and the successful woman. *across the board*. 1980, Feb., 13-18.

Handbook for Managers and Supervisors: Equal Employment opportunity and Affirmative Action Program. Chicago: American Bar Association, 1978.

Harmon, L.W. Anatomy of career commitment in women. *Journal of Counseling Psychology*, 1972, *19*, 308-313.

Harragan, B.L. *Games Mother Never Taught You*. New York: Rawson Associates, 1977.

Hedegard, J.M. The impact of legal education: An in-depth examination of career-relevant interests, attitudes, and personality traits among first-year law students. *American Bar Foundation Research Journal*, 1979, *1979*, 791-868.

Herman, M.H. and Sedlacek, W.E. Sexist attitudes among male university students. *Journal of College Student Personnel*, 1973 *14*, 544-548.

High court refuses to hear title IX job cases. *PEER Perspective*, 1980, *6*.

Hiring and promotion practices of private universities receiving public funds. New York University Law Review, 1977, 52, 1401-1427.

Hoffman, E.P. Determinants of faculty ranks: the discriminant analysis approach. Quarterly Review of Economics and Business, 1977, 17, 79-88.

Hoffman, L.W. Fear of success in males and females: 1965 and 1971. In Mednick, M.T. et al. Women and Achievement: Social and Motivational Analyses. New York: John Wiley and Sons, Inc., 1975.

Horner, M. Fail: Bright women. Psychology Today, 1969, 3.

Hornig, L.S. Summary of women and science: Research and practice in science education. Paper presented at National Institute of Education, Washington, D.C., October, 1979.

Howard, S. But We Will Persist: A Comparative Research Report on the Status of Women in Academe. Washington, D.C.: American Association of University Women, 1978.

Howell, F.M. and Frese, W. Race, sex, and aspirations: Evidence for the race convergence hypothesis. Sociology of Education, 1979, 52, 34-46.

How well do you understand Title IX? Women in Medical Academia, 1979, 2, 15.

Ingram, A. Beliefs of women faculty about discrimination, 1973. Mimeo available from author, Department of Physical Education, Cole Field House, University of Maryland, 20740.

Jacobs, A.D. Women in law school: Structural constraints and personal choice in the formation of professional identity. Journal of Legal Education, 1972, 24, 462-472.

Janofsky, L.S. Association strives to make equality a fact. American Bar Association Journal, 1980, 66, 408.

Jason, J., Moody, L., and Schuerger, J. The woman law student: The view from the front of the classroom. Cleveland State Law Review, 1975, 24, 223-245.

Johnson, G.E. and Stafford, F.P. The earnings and promotion of women faculty. American Economic Review, 1974, 64, 883-903. Discussion 67, 199-217.

Johnson, S. For more women on the federal bench. The New York Times, 1979, Oct. 30.

Jolna, S. Two surveys of women report widespread sexism at Harvard. The Washington Post, 1980, June 4, A12.

Jones, R., and Taylor, L. Differential recruitment of female professionals. In A. Theodore (Ed.), The Professional Woman. Cambridge, Mass.: Schenkman, 1971.

Juris Doctor (staff report). The popular vote: Rankings of the top schools. Juris Doctor, 1976, Dec. 17, 17ff.

Kane, R.D., Miller, J., Press, D.S., and Vance, S. Sex Discrimination in Education: A Study of Employment Practices Affecting Personnel. Arlington, VA: Institute for Women's concerns, 1978.

Kanter, R.M. Men and Women of the Corporation. New York: Basic Books, 1977 (a).

Kanter, R.M. Reflections on women and the legal profession: A sociological perspective. Harvard Women's Law Journal, 7, 1978.

Kanter, R.M. Some effects of proportions on group life: Skewed sex ratios and responses to token women. American Journal of Sociology, 1977(b), 82, 965-987.

Kanter, R.M. The impact of hierarchical structures on the work behavior of women and men. Social Problems, 1976, 23, 415-430.

Kaplin, W.A. The Law of Higher Education, San Francisco: Jossey-Bass Publisher, 1978.

Kashket, E.R., Robbins, M.L., Leive, L., and Huang, A.S. Status of women microbiologists. Science, 1974, 183, 488-494.

Kay, H.H. Commentary: The need of self-imposed quotas in academic employment. Washington University Law Quarterly, 1979, 79, 137-145.

Keefe, A.J. Harvard women start their own law review. American Bar Association Journal, 1980, 66, 914.

Kelso, C.D. Adding up the law schools: A tabulation and rating of their resources. Learning and the Law, 1975, 2, 38ff.

Kiernan, L.A. GPO Women win $16 million in sex bias suit. The Washington Post, 1980, May 21.

Kilson, M. The status of women in higher education. Signs: Journal of Women in Culture and Society, 1976, 1, 935-942.

Kleiman, D. Female academics show gains in combating sex discrimination. The New York Times, 1980, July 15, A1ff.

Klein, S.S. Sex Equity in Education: NIE-sponsored Projects and Publications, Washington, D.C.: National Institute of Education, DHEW, 1980.

Koch, J.V. and Chizmar, J.F., Jr. Sex discrimination and affirmative action in faculty salaries. Economic Inquiry, 1976, 14, 16-24. Reply with rejoinder, E. Cohn, 1978, 16, 150-156.

Kolata, G.B. Sex hormones and brain development. Science, 1979, 205, 985-987.

Kotker, Z. The "feminine" behavior of powerless people. Savvy Magazine, 1980.

Kryger, B.R. and Shikiar, R. Sexual discrimination in the use of letters of recommendation: A case of reverse discrimination. Journal of Applied Psychology, 1978, 63, 309-314.

Kutner, N.G. and Brogan, D. Sources of sex discrimination in educational systems: A conceptual model. Psychology of Women Quarterly, 1976, 1, 50-69.

La Russa, G.W. Portia's decision: Women's motives for studying law and their later career satisfaction as attorneys. Psychology of Women, 1977, 1, 350.

Laumann, E.O. and Heinz, J.P. Specialization and prestige in the legal profession. American Bar Foundation Research Journal, 1977, 1, 155-216.

Law, S. Personal and professional roles in their economic and sexual contexts. New York University Law Review, 1978, 53, 628-635.

Legal briefs: New Hampshire reverses trend: Appeals court upholds professor's claim of sex bias in promotions; HEW ordered to enforce Title IX and Executive Order 11246; Brown University faculty class action sex discrimination suit settled. Women in Medical Academia, 1978, 1, 10.

Lester, R.A. Anti-bias Regulation of Universities: Faculty Problems and Their Solutions. New York: McGraw-Hill, 1974.

Levinson, D.J., Darrow, C.N., Klein, E.B., Levinson, M.H., and McKee, B. The Seasons of A Man's Life. New York: Ballantine, 1978.

Lifton, R.J. (Ed.) The Woman in America. Boston: Beacon Press, 1964.

Lipman-Blumen, J. Role de-differentiation as a system response to crises: Occupational and political roles of women. Sociological Inquiry, 1973, 43, 105-129.

Liss, L. Why academic women do not revolt: Implication for affirmative action. *Sex Roles*, 1975, *1*, 209-223.

Lockheed, M. and Ekstrom, R. *Sex Discrimination in Education: A Literature Review and Bibliography*. Princeton: Educational Testing Service, 1977.

Long, J.S., Allison, P.D., and McGinnis, R. Entrance into the academic career. *American Sociological Review*, 1979, *44*, 816-830.

Long, J.S. Productivity and academic position in the scientific career. *American Sociological Review*, 1978, *43*, 889-908.

Maccoby, E.E. and Jacklin, C.N. *The Psychology of Sex Differences*. Stanford, Cal.: Stanford University Press, 1974.

Mackie, M. Professional women's collegial relations and productivity. *Sociological and Social Research*, 1977, *61*, 277-293.

Mackie, M. Students' perception of female professors. *Journal of Vocational Behavior*, 1976, *8*, 337-348.

Marrett, C. Women in science and engineering: A research review. *Research Issues in the Employment of Women: Proceedings of a Workshop*. Washington, D.C.: National Academy of Sciences, 1974.

Marwell, G., Rosenfeld, R., and Spilerman, S. Geographic constraints in women's careers in academia. *Science*, 1979, *205*, 1225-1231.

Masterman, M. Falling through the grid, or what has happened to the scarce women academics. *Journal for the Theory of Social Behavior*, 1974, *4*, 97-107.

Mayfield, B. and Nash, W.R. Career attitudes of female professors. *Psychological Reports*, 1976, *39*, 631-634.

Mayhew, D.B. *The Carnegie Commission on Higher Education*. San Francisco: Jossey-Bass, 1973.

McDonald, K. Women in higher education: A new renaissance? *The College Board Review*, 1979, Spring, 10ff.

McKay, R. Women and the liberation of legal education. *Women Lawyers Journal*, 1971, *57*, 139-143.

McKee, J. and Sherrifs, A. The differential evaluation of males and females. *Journal of Personality*, 1957, *25*, 356-371.

Medical College rolls at record: Percentage of women is on rise. *The New York Times*, 1979, Dec. 2.

Mednick, M.T., Tangri, S.S., and Hoffman, L.W. Women and Achievement: *Social and Motivational Analyses*. New York, John Wiley & Sons, 1975.

Miller, J.P. Social-psychological implications of Weber's model of bureaucracy. Relations among expertise, control, authority and legitimacy. *Social Forces*, 1970, Sept., 91-102.

Miller, T. Male attitudes towards women's rights as a function of their level of self-esteem. *International Journal of Group Tensions*, 1974, 4, 435-444.

Mischel, H.N. Sex bias in the evaluation of professional achievement. *Journal of Educational Psychology*, 1974, *66*, 157-166.

Mitchell, J.M. and Starr, R.R. A regional approach for analyzing the recruitment of academic women. *American Behavioral Scientist*, 1971, *15*, 183-205.

Moore, K.M. and Wollitzer, P.A. *Women in Higher Education: A Contemporary Bibliography*. Washington, D.C.: National Association of Women Deans, Administrators and Counselors, 1979.

Muchinsky, R. and Harris, S. The effects of applicant sex and scholastic standing on the evaluation of job applicant resumes in sex-typed occupations. *Journal of Vocational Behavior*, 1977, *11*, 95-108.

National Research Council. *Climbing the Academic Ladder: Doctoral Women Scientists in Academe*. Washington, D.C.: National Academy of Sciences, 1979.

Newman, S.G. Wife, mother, teacher, scholar, and sex object: role conflicts of a female academic. *Intellect*, 1978, *106*, 302-306.

News about women in legal education. *AALS Newsletter*, 1979, April 29, *4*; 1972, Oct. 4, *6*; 1973, Feb. 5; 1973, April 30.

New York University Law Review. Symposium on Legal Education, 1978, *53*.

Oltman, R.M. Campus 1970: Where do women stand? Research report on survey of women in academe. Washington, D.C.: AAUW, 1970 (ERIC ED 046377).

120% Solution: quota system in hiring women lawyers for law firms. *Time*, 1976, *107*, 41

One small step for women. *Human Rights*, 1980, *8*, 7.

Oppenheim, A.N. *Questionnaire Design and Attitude Measurement*. New York: Basic Books, 1966.

Perrucci, C. Sex-based professional socialization among graduate students in science. *Research Issues in the Employment of Women: Proceedings of a Workshop*. Washington, D.C.: National Academy of Sciences, 1974.

Peters, D.S. *And please ignore my sex: Academic women, 1974*. Ann Arbor, Michigan: Center for the Study of Higher Education, 1974.

Pezzullo, T.R. and Brittingham, B.E. (Eds.) *Salary Equity: Detecting Sex Bias in Salaries among College and University Professors*. Lexington, Mass.: Lexington Books, 1979.

Phillips, D.L. *Abandoning Method*. San Francisco: Jossey-Bass, 1973.

Pipkin, R.M. Law school instruction in professional responsibility: A curricular paradox. *American Bar Foundation Research Journal*, 1979, *1979*, 247-275.

Rathjen, G.J. Impact of legal education on the beliefs, attitudes and values of law students. *Tennessee Law Review*, 1976, *44*, 85-118.

Read and Peterson. Sex discrimination in law school placement. *Wayne Law Review*, 1972, *18*, 639.

Remnick, D. Sexism in the Ivy Legue. *The Washington Post*, 1979, Dec. 2, A10.

Reskin, B.F. Academic sponsorship and scientists' careers. *Sociology of Education*, 1979, *52*, 129-146.

Reskin, B.F. Scientific productivity, sex, and location in the institution of science. *American Journal of Sociology*, 1978, *83*, 1235-1243.

Resources in Women's Educational Equity, volume 3. Superindent of Documents, U.S. Goverment Printing Office, Washington, D.C., 20402 #017-080-02014-9.

A Review of Legal Education in the United States. Chicago: American Bar Association Section of Legal Education and Admissions to the Bar, Editions for Fall of 1973-1978.

Richard, W.L. Faculty regulations of American law schools (A survey). *Cleveland Marshall Law Review*, 1964, *13*, 581ff.

Rich, S. Women workers earn three-fifths as much as men. *The Washington Post*, 1980, March 5, A1ff.

Robert, E.R. and Winter, M.F. Sex-role and success in law school. *Journal of Legal Education*, 1978, *29*, 449-458.

Robertson, N. Do female scientists face bias? Columbia sociologist says "No". *The New York Times*, 1979, Dec. 17, D12.

Robin, E.P. Some social factors in career choice. *Research Issues in the Employment of Women: Proceedings of a Workshop*. Washington, D.C.: National Academy of Sciences, 1974.

Robinson, W.L. Categories of beneficiaries for affirmative action. Paper presented at American Bar Association National Institute on Affirmative Action, Washington, D.C., May 1980.

Rosen, B.C. and Bates, A.P. The structure of socialization in graduate school. *Sociological Inquiry*,1967, *37*, 71-84.

Rossi, A. Discrimination and demography restrict opportunities for academic women. *College and University Business*, New York: McGraw Hill, 1970.

Ryman, A.E., Jr. A pilot study of law school promotion. *Journal of Legal Education*, 1972, *24*, 364ff.

Safilios-Rothschild, C. *Sex Role Socialization and Sex Discrimination: A Synthesis and Critique of the Literature*. Washington, D.C.: National Institute of Education, DHEW, 1979.

Sagen, H.B. Faculty evaluation for accountability. In Dyckman W. Vermilye (Ed.), *Individualizing the System*. San Francisco: Jossey-Bass, 1976.

Scaling the academic ladder. *Women in Medical Academia*, 1977, *1*, 3.

Schrank, W.E. Sex discrimination in faculty salaries. *Canadian Journal of Economics*, 1977, *10*, 411-433.

Seidman, M.J. What's wrong with legal education? *Bar Leader*, 1980, *5*, 2ff.

Selected Statistics on the Salaries, Tenure, and Fringe Benefits of Full-Time Instructional Faculty for the 1978-79 Academic Year. Washington, D.C.: National Center for Educational Statistics, 1979, March 1, 79-B-3.

Sells, L.W. Availability pools as the Basis for Affirmative Action. Paper presented at the 44th Annual Meeting of the Pacific Sociology Association, Scottsdale, Ariz., May 3, 1973.

Shoemaker, E.A. and McKeen, R.L. Affirmative Action and hiring practices in higher education. *Research in Higher Education*, 1975, *3*, 359-364.

Siegfried, J.J. and Scott, C.E. The determinants of academic salaries and non-institutional professional income. Journal of Legal Education, 1977, 28, 281ff.

Simon, R.J., Clark, S.M., and Galway, K. The Woman Ph.D.: A recent profile. Social Problems, 1967, 15, 221-236.

Slate, M. Affirmative action in EEOC conciliation agreements with public employers. Paper presented at the American Bar Association National Institute on Affirmative Action, Washington, D.C., May, 1980.

Smith, D. and Pingree, S. Directory of Organizations Working for Women's Educational Equity. San Francisco: Women's Educational Equity. San Francisco: Women's Educational Equity Communications Network, DHEW, 1980.

Sophie, J. Women as scholars. American Psychologist, 1974, 29, 529-532.

Soule, B. and Strandley, K. Perceptions of sex discrimination in law. American Bar Association Journal, 1973, 59, 1144-1147.

Spangler, E., Gordon, M.W., and Pipkin, R.M. Token women: An empirical test of Kanter's hypothesis. American Journal of Sociology. 1978, 84, 160-169. Discussion 1438-1441.

Spice and sympathy: women students and staff. Harvard Law School Bulletin, 1970, 24, 14ff.

Status of women faculty and administrators in higher educational institutions, 1971-1972. NEA Research Memo No. 1973-7. Washington, D.C.: National Educational Association, 1973, 1-2.

Statistics update. Women in Medical Academia, 1978, 2, 7.

The status of women in american law schools. Rutgers Law Review, 1979, 25, 76-79.

Steele, C.M. and Green, S.G. Affirmative action and hiring: A case study of value conflict. Journal of Higher Education, 1976, 47, 413-435.

Steut, A. Academe's new girl network: Committee for the Concerns of Women in New England Colleges and Universities and Higher Education Resource Services. Change, 1978, 10, 18-21.

Stimart, R.P., and Taylor, A.L. Predicting excellence in college teachers: A vector algebra approach. The Journal of Experimental Education, 1973, 42, 74-76.

Stockard, J., Schmuck, P., Kempner K., Williams, P., Edson S.K., and Smith, M.A. Sex Equity in Education. New York: Academic Press, 1980.

Student Lawyer. Women Lawyers: Are They Taken Seriously? 1980, May, 8.

Summary of federal antidiscrimination requirements. Women in Medical Academia, 1979, 2, 13.

Tables of salries and tenure of full-time instructional faculty, 1974-75. Washington, D.C.: National Center for Educational Statistics. ERIC ED 104208.

Tanur, J.M. and Coser, R.L. Pockets of poverty in the salaries of academic women. American Association of University Professors Bulletin, 1978, 64, 26-30.

Task Force on Professional Utilization. Report of the Task Force on Professional Utilization. Chicago: American Bar Association, 1973.

Taynor, J. and Deaux, K. Equity and perceived sex differences: Role behavior as defined by the task, the mode, and the actor. Journal of Personality and Social Psychology, 1975, 32, 381-390.

Theodore, A. Academic Women in Protest. Expanded version of a paper presented at the Annual Meeting of the Society for the Study of Social Problems, New York, August 1973 (ERIC ED 091989).

Theodore, A. (Ed.) The Professional Woman. Cambridge, Mass.: Schenkman, 1971.

Thornton, A. and Davis, L. Women at Harvard Law School. Harvard Law School Bulletin, 1970, 21, 34-35.

Tidball, M.E. and Kistiakowsky, V. Baccalaureate origins of American scientists and scholars. Science, 1976, 193, 646-652.

Tidball, M.E. Of men and research: The dominant themes in American higher education include neither teaching nor women. Journal of Higher Education,1976, XLVII, 373-389.

Toombs, W. Productivity: The Burden of Success. ERIC/Higher Education Research Report No. 2. Washington, D.C.: American Association for Higher Education, 1973.

Touhey, J.C. Effects of additional women professionals on ratings of occupational prestige. Journal of Personality and Social Psychology, 1974, 29, 86-89.

Travis, T.B. Affirmative action on campus: How firm the foundation? The Journal of the National Association for Women Deans, Administrators, and Counselors, 1976, 39, 50-57.

Tuckman, H.P. Publication, Teaching, and Academic Reward Structure. Lexington, Mass.; Lexington Books, 1976.

University of Puget Sound Law Review. Women and the Bar: A Generation of Change, 12, 1978, 2.

Vladeck, J.P. Affirmative action: From theory to practice: An analysis from the plaintiffs' perspective. Paper presented at American Bar Association National Institute for Affirmative Action, Washington, D.C., May 1980.

Vetter, B. Female "role models" deemed important. APA Monitor, 1973, 3, 4.

Wallis, L.S. Women in medicine: Report on a conference. Cornell University Medical College Alumni Quarterly, 1979, 42, 21-24.

Warkov, S. and Zelan, F. Lawyers in the Making, Chicago: Aldine, 1965.

Wasserman, E., Lewin, A.Y. and Bleiweis, L.H. (Eds.). Women in academia: equal opportunities. New York: Praeger, 1975.

Weckstein, P. Judicial standards for determining sex discrimination. Inequality in Education, 1974, 18, 58-67.

Weisberg, D.K. Barred from the Bar, Journal of Legal Education, 1977, 28 485-507.

Weisberg, D.K. Women in law school teaching: Problems and progress. Journal of Legal Education, 1979, 30, 226-248.

Westervelt, E.M. Barriers to Women's Participation in Postsecondary Education. Washington, D.C.: National Center for Education Statistics, DHEW, 1975.

White, J.J. Women in the law. Michigan Law Review, 1967, 65, 1051-1121.

White, J.P. Law School enrollment continues to level. American Bar Association Journal, 1980, 66, 724-725.

Williams, R.M. Law schools: The big woman boom. Saturday Review, 1974, Sept. 21, 51-54.

Women can sue colleges for child care facilities. Women in Medical Academia, 1979, 2, 16.

Women finally get mentors of their own. Business Week, 1978, Oct. 23, 74ff.

Women in a double-bind: Hazards of the argumentative edge. College Composition and Communication, 1978, 29, 385-389.

Women's Brains. Natural History, 1978, 87, 44-50.

Zikmund, W.G. Influence of sex and scholastic performance on reactions to job applicant resumes. Journal of Applied Psychology, 1978, 63, 252-254.

APPENDIX 1.1

Number and Percentage of Law Schools Which are ABA-Approved, 1970-1979

APPENDIX 1.1

Number and Percentage of Law Schools Which are ABA-Approved, 1970-1979

Year	Total N	N ABA-Approved Schools	% ABA-Approved
1979-80	228	170	75%
1978-79	233	169	73%
1977-78	233	164	70%
1976-77	226	164	73%
1975-76	229	164	72%
1974-75	201	158	79%
1973-74	198	151	76%
1972-73	189	149	79%
1971-72	155	147	95%
1970-71	159	146	92%

Note: Figures provided by ABA Section of Legal Education and Admissions to the Bar.

APPENDIX 1.2

Affirmative Action Summary

APPENDIX 1.2

AFFIRMATIVE ACTION*

Federal regulations and laws require that there be no discrimination in any conditions of employment including recruitment, hiring, layoff, discharge and recall, and in-service training; opportunities for promotion; participation in training programs; wages and salaries; sick leave time and pay; vacation time and pay; overtime work and pay; medical, hospital, life and accident insurance; and optional and compulsory retirement.

Status and Orders Requiring Equal Employment Opportunity and Affirmative Action

The Equal Pay Act of 1963, the first sex discrimination legislation enacted, requires equal pay for equal work regardless of sex. Title IX of the Education Amendments Act of 1972 extends the coverage to executive, administrative and professional employees, including all faculty; and to outside salespeople. The law is enforced by the Wage and Hour Division of the Employment Standards Administration of the Department of Labor, and reviews can be conducted without prior complaint.

If a violation is found following a review, the employer is asked to settle by raising wages and awarding back pay to underpaid workers. Should the employer refuse, the Department of Labor is authorized to go to court. No affirmative action is required other than back pay.

Executive Order 11246 as Amended by Executive Order 11375 prohibits discrimination in employment by all employers who hold federal contracts, and requires affirmative action programs by all federal contractors and subcontractors. Firms with contracts over $50,000 and 50 or more employees must develop and implement written programs of affirmative action.

The Department of Labor through its Office of Federal Contract Compliance is responsible for all policy matters under the Executive Order. However, the Department of Health, Education and Welfare does the actual review and enforces the order in universities and colleges. Failure to follow the requirements of the Executive Order can result in the delay, suspension or termination of contracts.

Title VI of the Civil Rights Act of 1964 forbids discrimination against students on the basis of race, color or national origin in all federally assisted programs. Employment is not generally covered except when employment is the purpose of the assistance. The Department of Health, Education and Welfare is the enforcement agency. Affirmative action is not required, but can be imposed after a finding of discrimination.

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*Reproduced from Climbing the Academic Ladder, 1979, with the permission of the National Academy of Sciences, Washington, D.C.

APPENDIX 1.2

Title IX of the Education Amendments of 1972 forbids discrimination on the basis of sex against students and employees in all federally assisted education programs in all institutions, public and private, that receive federal monies through grants, loans or contracts. The Department of Health, Education and Welfare is the enforcement agency. Affirmative action is not required, but can be imposed after a finding of discrimination.

Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972 forbids discrimination on the basis of race, color, national origin, religion or sex in any term, condition or privilege of employment by unions and by employers. The law was amended on March 24, 1972 to cover all public and private educational institutions, as well as state and local governments, and applies to all employers, public or private, whether or not they receive any federal funds. Title VII covers all private employers of 15 or more persons, and is enforced by the Equal Employment Opportunity Commission (EEOC), which is appointed by the President. Employers are required not to discriminate in employment. Title VII does not require affirmative action unless there is a finding of discrimination. The basic body of legal principles applying to employment discrimination has been developed in Title VII litigation and in cases involving the 5th and 14th amendments to the Constitution.

NOTE

1. Much of the material in this section was adapted with permission from "The Hand That Rocked the Cradle Has Learned to Rock the Boat" by Bernice Sandler from the series New Directions for Institutional Research: "Toward Affirmative Action" edited by Lucy Sells, Jossey Bass Publishing Company, 1974.

APPENDIX 2.1

Applicant Cover Letter and Recruitment Questionnaire

(AALS Faculty Recruitment Conference)

APPENDIX 2.1

AMERICAN BAR ASSOCIATION

SECTION OF
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1800 M STREET, N.W., WASHINGTON, DC 20036 • 202/331-2278

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November 29, 1979

Dear Law Faculty Applicant:

The American Bar Association's Section of Individual Rights and Responsibilities has an interest in the law faculty recruitment process and the dynamic by which qualified candidates such as you decide to pursue law teaching. This inquiry is part of a larger study which has been funded by the National Institute of Education, Department of Health, Education, and Welfare. One of the objectives is to understand the process from the applicant's perspective and to determine whether differences exist between men and women on factors important in the recruitment process. Accordingly, we request that you spend a few minutes to respond to the attached questionnaire.

The information which you provide cannot be traced to you in any way. All data will be confidential. Please do not sign your name to the questionnaire. We are interested in specificity and brevity in your answers; one or two sentences should suffice for the open-ended questions. It is important that you answer all the questions. Please return the completed questionnaire to the "Questionnaire Box."

Your answers to this inquiry are expected to be extremely valuable in understanding the recruitment process. We very much appreciate your time during this busy conference session.

Thank you.

Sincerely yours,

Elizabeth A. Ashburn

Elizabeth A. Ashburn, Ph.D.
Project Director

E. Carrington Boggan

E. Carrington Boggan, Chairperson
Section of Individual Rights and
Responsibilities

APPENDIX 2.1

DO [illegible]T PUT YOUR NAME ON THIS QUESTIONNAIRE. RETURN TO THE "QUESTIONNAIRE BOX" IN [illegible]E ATTACHED ENVELOPE. It is important to answer ALL the questions. Check the appropriate items; write brief phrases or sentences to the open-ended questions

1979 ABA RECRUITMENT PROCESS INQUIRY

1. Sex: M___ F___

2. (a) Marital status: Married___ Unmarried___

(b) Children: No__ Yes__

3. Ethnic background: Black___ White___ Other (Please specify)___________

4. Law degree received: SCHOOL YEAR

J.D. (LL.B.) ______________________________ _____

LL.M. ______________________________ _____

J.S.D. ______________________________ _____

5. Experience in law school:

(a) Class standing (J.D.): Top 10%___Top 25%___Other___

(b) The Law Review: No__ Yes__

(c) Other law journals: No__ Yes__

(d) Other legal research and writing: No__ Yes__ (Please specify)__________

(e) Order of the Coif: No__ Yes__

(f) Clerkship during law school: No__ Yes__

(g) Other honors: No__ Yes__ (Please specify)________________

(h) Teaching experience in law school: No__ Yes__

6. Full-time experience SINCE J.D. degree (Check and indicate approximate number of years):

(a) LEGAL No. years (in .5 yrs.)

____ Private practice (law firm) ________

____ Private practice (solo) ________

____ Government (Federal) ________

____ Government (State/Local) ________

____ Judicial clerkship (U.S. Supreme Court) ________

____ Judicial clerkship (Federal or state trial or appellate courts) ________

____ Corporations ________

____ Banks/Trusts ________

____ Law teaching (tenure track) ________

____ Law teaching (non-tenure track) ________

____ Legal aid/public interest ________

____ Other (please specify) ______________________ ________

(b) NON-LEGAL experience SINCE J.D. degree:

____ (Please specify) ______________________ ________

7. Part-time law teaching SINCE J.D. degree:

on law school faculty: No__ Yes__ (How many total years?_____)

on other faculties: No__ Yes__ (How many total years?_____)

8. Two most preferred teaching subjects:

(1) ____

(2) ____

9. Have you had any interviews for law faculty positions for the fall of 1980 prior to this Recruitment Conference?

No___ Yes___ If yes, how many?____

10. Have you had any job offers for a law faculty position for the fall of 1980 prior to this Recruitment Conference?

No___ Yes___ If yes, how many?____

11. How many schools have requested an interview with you in advance of this Conference?______

12. How many interviews do you have scheduled at this Conference?_________

13. (a) When did you decide to enter full-time law teaching?

_____ before entering law school
_____ during law school (1st year)
_____ during law school (2nd year)
_____ during law school (3rd year)
_____ after completion of J.D. (Please indicate here how many years after J.D._______)

(b) Why did you decide to pursue full-time law teaching?

14. In relation to other types of legal positions (e.g. private practice, government, etc.), how important is law teaching to you?

______ Most preferred
______ Preferred
______ One of several types of legal positions I am considering equally
______ I actually prefer another type of legal position.

15. Other than attending this conference, what have you done or are you doing to obtain a full-time law teaching position? Please be as specific as possible.

APPENDIX 2.1

16. (a) Please indicate the importance to you of each of the following goals in a law teaching position.

	Very important	Some importance	Little importance	No importance
Advance in faculty rank				
Attain top administrative position				
Exercise leadership				
Achieve national reputation				
Have colleagues' respect				
Transmit legal knowledge				
Freedom from supervision				
Research and writing				
Time for family				
Help students				
Other (Please specify)				

(b) What are your expectations of the probability of achieving these goals in a law teaching career?

	Very probable	Somewhat probable	Maybe	Not applicable	Unlikely
Advance in faculty rank					
Attain top administrative position					
Exercise leadership					
Achieve national reputation					
Have colleagues' respect					
Transmit legal knowledge					
Freedom from supervision					
Research and writing					
Time for family					
Help students					
Other (Please specify)					

17. What do you consider the chief drawbacks of a law faculty position?

18. Has any person or persons been particularly helpful to you in your decision to pursue full-time law teaching or in your pursuit of a faculty position, in the sense of taking you "under their wing," caring, sponsoring, and "imparting their wisdom"?

No___ Yes___ If yes, please explain specifically how they have done this; do not give names of such persons, but do indicate their sex.

19. Have you had specific, identifiable difficulties in your pursuit of a law faculty position?

No___ Yes___ If yes, please describe.

20. Do you have other comments about the recruitment process?

Thank you.

APPENDIX 2.2

Applicant Interview Questions

(AALS Faculty Recruitment Conference)

APPENDIX 2.2

Conference Interview Questions

Experiences During the Conference

1. What was the typical interview format? Were there any schools which deviated from that format? [If yes] Please describe.

2. What were the typical questions asked? Were there any deviations from that? [If yes] Please describe.

3. What was your approach to the interview, i.e., how did you prepare for the interview? Did you try to "sell" yourself? [If yes] What did you do to "sell" yourself?

4. What is your evaluation of your performance in the interviews, overall? [Probe for basis of evaluation.]

5. Did you receive any positive indications from interviewers? Any negative indications? [Probe for specifics.]

6. Which were the three most "prestigious" schools with which you interviewed? What were your three top choices before the interviews, and your three top choices after the interviews? [If there was a change in choices] Why did your choices change?

The Conference in Relation to Other Job-search Activities

1. What steps, other than attending this Conference, have you taken or are you planning to take to obtain a law faculty position?

2. How important is this Conference to you in your job-search efforts?

3. How do you perceive that the "system" works in regard to obtaining a law faculty position.

Law Teaching Preferences

1. What kind of law school do you prefer? Why?

2. Do you think you will be offered a position on the faculty of your choice? Why or why not?

3. Does you marital status affect your school preferences? [If yes] How?

4. How committed are you to the particular courses you want to teach?

APPENDIX 2.2

Equity Issues

1. What is your perception about the proportion of women in general on law faculties?

2. Are your job-search efforts affected by your perceptions about this?

3. Do you think your job-search experiences have been affected by the fact that you are a man, rather than a woman? [Reverse for women respondents.]

Follow-up questions and probes emphasized specificity of descriptions of experiences and evaluations of those experiences.

Telephone Interview Follow-up Questions

Specific Offers

1. How many offers did you receive?

2. How many schools invited you for on-campus interviews?

3. At how many schools did you actually interview?

4. What was the format of these interviews? What portion of the interview consisted of general discussion with school faculty, questions about your command of law, or questions about your goals in law teaching?

5. For each offer:

   a. What was the name of the school?
   b. What was the title of the position offered?
   c. Was the position tenure-track?
   d. What was the salary offered?
   e. What were the channels through which you contacted the schools?

6. Which school did you finally select and why?

Reflections on the Job-search Process

1. Is your perception of how a law teaching position is obtained different than when we spoke at the Conference? [If yes] How?

2. Have you been satisfied with your "performance" and the interviewing schools' "performance" during this process? [If no to either] Please describe.

APPENDIX 2.2

3. Do you think your job-search experiences since the Conference have been affected by the fact that you are a man, rather than a woman? [Change appropriately for women respondents.] (If yes] Please describe.

4. Do you have any other questions or comments?

APPENDIX 2.3

Memorandum from Director of Association of American Law Schools

(AALS Faculty Recruitment Conference)

APPENDIX 2.3

ASSOCIATION OF AMERICAN LAW SCHOOLS
Suite 370, One Dupont Circle, N.W.
Washington, D.C. 20036
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November 26, 1979

To: Chairpersons of Interviewing Teams and Faculty Appointments Registrants Attending the 1979 Faculty Recruitment Conference

From: Millard H. Ruud

Subject: American Bar Association's Section of Individual Rights and Responsibilities Study on Women on Law Faculties

The Section of Individual Rights and Responsibilities of the American Bar Association has received a grant from the National Institute of Education (NIE), Department of Health, Education and Welfare to undertake a study of women on law faculties. NIE has made a grant of $69,000 and the New York Law School has contributed $8,000 to this study. The principal investigator is Dr. Elizabeth Ashburn.

The purpose of this study is to describe the process of women's entry into law teaching. Of particular interest are: (1) the identification of problems and successes from the administrative standpoint in the recruitment and hiring of women; (2) the role of social processes; and (3) the impact of individual perceptions and attitudes.

A comprehensive report of the study will be written, including recommendations for the recruitment of women to the profession. A shorter report will be developed for dissemination to professionals concerned with these issues.

An advisory committee has been established consisting of Carol Kamin Bellows; Hope Eastman; Donna Fossum; Ruth Bader Ginsburg; Judge Charles Joiner; Brooksley E. Landau; Jean Levin; Soia Mentschikoff; Lizabeth A. Moody; Dorothy W. Nelson; Rhonda R. Rivera; Thomas B. Stoel; and Marha Tucker.

Betsy Ashburn will attend our Faculty Recruitment Conference on November 30 and December 1, 1979. She will be interviewing recruitees and administering a questionnaire for the purpose of gaining a better understanding of the process of recruiting law faculty, in particular women law faculty. As a recruiter or recruitee you are certainly entitled to make your own judgments as to whether you will cooperate in Dr. Ashburn's study. While our Association has not participated in developing this study and has no responsibility for its results, my conversations with Dr. Ashburn suggest to me that she is a very responsible investigator and that the results are likely to be quite useful.

:bas

cc: Executive Committee
Deans of Member Schools
Members of the House of Representatives

APPENDIX 2.4

Memorandum from ABA Section of Individual Rights and Responsibilities

(AALS Faculty Recruitment Conference)

APPENDIX 2.4

AMERICAN BAR ASSOCIATION

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Middlebury, VT 05753

VICE-CHAIRPERSON
Cruz Reynoso
Court of Appeal
Third Appellate District
9 Library and Courts Bldg
Sacramento, CA 95814

SECRETARY
Merna S. Tucker
2101 L Street, N.W.
Washington, DC 20036

RECORDING SECRETARY
Julius LeVonne Chambers
ndependence Blvd. Ste. 730
Charlotte, NC 28202

ECTION DELEGATE TO THE HOUSE OF DELEGATES
Brooksley E. Landau
1229 - 19th Street, N.W.
Washington, DC 20036

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STAFF DIRECTOR
Joanne Rashbaum
1800 M Street, N.W.
Washington, DC 20036

ASSISTANT TO THE STAFF DIRECTOR
Jocelyn C. Deal
Washington, DC

November 29, 1979

TO: All recruitees attending the AALS 1979 Faculty Recruitment Conference

FR: American Bar Association Section of Individual Rights and Responsibilities

RE: Recruitment Questionnaire

The American Bar Association Section of Individual Rights and Responsibilities is conducting an inquiry into the law faculty recruitment process and an assessment of differences which may exist between men and women in that process. This is part of a larger study funded through the Section by the National Institute of Education, DHEW.

Each law faculty applicant at this Conference will receive a short questionnaire on issues related to recruitment. It is very important to the study that all applicants respond to this questionnaire. If you have not received a questionnaire, please contact the study director, Dr. Betsy Ashburn, in Room 456 or Ozark B.

Your answers will be confidential; the responses you provide cannot be traced to you. We appreciate your help in this inquiry.

APPENDIX 2.5

Correlation Matrix of Variables Included in Stepwise Multiple Regression Analysis to Predict Number of Interview Requests from Faculty Applicant Qualifications

APPENDIX 2.5

Correlation Matrix of Variables Included in Stepwise Multiple Regression Analysis to Predict Number of Interview Requests from Faculty Applicant Qualifications
(N of cases for correlation in upper triangle)

	(1) No. interview requests	(2) Sex	(3) "Producer" Status	(4) LLM	(5) JSD	(6) Class rank	(7) Law Review	(8) Research/ Writing	(9) Student teaching	(10) Private practice	(11) Government	(12) Judicial clerkship	(13) Corp/Bank/ Trusts	(14) Teaching	(15) Legal aid/ Public interest	(16) Other legal experience	(17) Parttime teaching
(1)	122.	122.	118.	122.	122.	121.	120.	118.	113.	120.	121.	120.	121.	117.	122.	122.	122.
(2)	0.21698*	122.	118.	122.	122.	121.	120.	118.	113.	120.	121.	120.	121.	117.	122.	122.	122.
(3)	0.14513	-0.21600*	118.	118.	118.	117.	116.	114.	109.	117.	117.	116.	117.	114.	118.	118.	118.
(4)	-0.05110	-0.08816	-0.19446*	122.	122.	121.	120.	118.	113.	120.	121.	120.	121.	117.	122.	122.	122.
(5)	-0.02162	-0.15403	-0.13319	0.35423**	122.	121.	120.	118.	113.	120.	121.	120.	121.	117.	122.	122.	122.
(6)	-0.27005**	-0.12076	0.21806*	-0.02070	-0.20651*	121.	119.	117.	112.	119.	120.	119.	120.	116.	121.	121.	121.
(7)	-0.02164	0.06078	-0.29232**	0.08066	0.28333**	-0.27807**	120.	117.	113.	118.	119.	118.	119.	115.	120.	120.	120.
(8)	-0.07910	0.03386	-0.21327*	0.10761	0.26500**	-0.13724	0.21651*	118.	110.	116.	117.	116.	117.	113.	118.	118.	118.
(9)	0.20325*	-0.12319	-0.01261	0.12270	-0.02575**	-0.09436	-0.04263	0.04825	113.	111.	112.	111.	112.	108.	113.	113.	113.
(10)	-0.09403	-0.12031	0.14892	-0.10409	-0.02696**	0.01192	0.05543	-0.13168	-0.09720	120.	119.	119.	119.	116.	120.	120.	120.
(11)	-0.14864	-0.01853	0.06635	-0.05763	-0.10376	0.08349	-0.04517	0.05857	-0.14088	-0.14794	121.	119.	120.	117.	121.	121.	121.
(12)	0.07488	0.05152	0.05726	0.09504	-0.00350	-0.19533*	0.10388	0.19030	0.01216	-0.10415	-0.05164	120.	119.	116.	120.	120.	120.
(13)	-0.06015	-0.03017	0.15201	0.19626*	0.05664	0.06931	-0.08503	-0.06203	-0.12375	0.09587	-0.00041	0.09971	121.	117.	121.	121.	121.
(14)	-0.06016	-0.01407	0.01121	-0.04382	0.11322	0.06119	-0.09791	-0.02686	0.03258	-0.03080	-0.00199	-0.07771	-0.03227	117.	117.	117.	117.
(15)	-0.10191	-0.04437	0.05929	-0.01317	0.07822	0.14364	-0.04251	-0.02554	-0.09070	-0.04446	-0.04567	-0.08948	-0.06071	0.17528	122.	122.	122.
(16)	0.12209	0.13689	0.14481	-0.04962	0.00638	0.18242	-0.12099	0.10144	-0.12292	-0.00628	0.02681	-0.08360	-0.05287	0.17617	0.01478	122.	122.
(17)	-0.07531	0.06359	0.00111	-0.00310	0.06494	0.03034	-0.06553	-0.08834	-0.08635	0.22621*	-0.05130	-0.00191	0.01616	0.34381**	0.34443**	0.06680	122.

* p < .05
** p < .01

APPENDIX 3.1

Interview Questions Faculty Recruitment Committee

(On-site Visit)

APPENDIX 3.1

Recruitment Committee Interview Questions

Background Information

1. a. How many years have you been on this committee?
   b. How many years have you been at this law school?
   c. [If chairperson] How many years have you served as chairperson?

2. a. How is membership on this committee determined (e.g., elected by faculty, appointed by dean)?
   b. Who on the faculty can be a member of this committee, i.e., is it limited to faculty with tenure, or can untenured or non-tenure-track faculty be included?

3. a. How often does this committee meet?
   b. Are meetings more numerous during a certain time of year?

Policies and Procedures

4. What are the specific, step-by-step procedures this committee follows in recruiting and hiring faculty members? [Probe for who is involved at each step; if votes are taken, probe for number required to accept or reject.]

5. Are the recommendations by the law school for hiring reviewed by a university committee, or some other person or group? [Probe for the purpose of this review, and whether the school's recommendations for hiring are generally agreed to.]

6. Which of the following procedures are used by the committee to recruit prospects?
   [For each, ask the following] How useful is this procedure for recruiting prospects?
   a. advertisements (list journals)
   b. AALS Registry
   c. AALS Recruitment Conference
   d. phone calls to colleagues
   e. recommendations from dean or other faculty members
   f. other procedures

7. a. For entry-level, first-time teachers, what are the most important criteria for hiring?
   b. On what basis do you assess these criteria?
   [Probe for specific behavior used for assessment.]

8. a. What is the law school's policy about hiring its own graduates?
   b. To what extent is this policy implemented?

9. Does an "antinepotism" rule exist at this school?
   [If no] Do you, in fact, have faculty members who are related?
   [If yes] Has this ever been challenged, to your knowledge? If so, would you describe the circumstances?

APPENDIX 3.1

Current Year's Recruitment Results

10. [If attended AALS Recruitment Conference] How many women did you interview at the Conference? How many men?

11. How many women were invited to the law school for an interview? How many men?

12. How many women actually came to the law school for an interview? How many men?

13. For each job offer made, would you give the following information:
    a. What was the sex of the individual?
    b. What was the rank and tenure status offered to the individual?
    c. Did the person accept the offer? If not, why?
    d. What was the initial contact with this person?

Issues Related to Women in Law Teaching

14. Are there any goals which this faculty committee has set in regard to hiring women? [Probe for nature and specificity of goals.]

15. Does the law school have written guidelines for affirmative action in recruitment of faculty?
    [If no] Has this ever been discussed by the faculty?
    [If yes, obtain a copy.]

16. a. What specific steps have been taken to seek out women as potential faculty members?
    b. What have been the particular problems, if any, in seeking women prospects?
    c. What has been particularly successful, if anything, in seeking women prospects?
    d. Are you satisfied with the efforts made by this committee to hire women?
    [If no] Why are you dissatisfied?

17. Do you perceive any consistent differences between men and women faculty prospects in the way in which they present themselves to you during the recruiting process?
    [If yes] Would you please describe those differences.

18. Do you perceive any consistent differences between men and women faculty prospects in their qualifications?
    [If yes] Would you please describe those differences.

19. Do you have suggestions for ways in which the current institutional procedures for recruiting and hiring women faculty might be improved?

APPENDIX 3.2

Interview Questions Promotion and Tenure Faculty Committee

(On-site Visit)

APPENDIX 3.2

Promotion and Tenure Committee Interview Questions

Background Questions

1. a. How many years have you been on this committee?
   b. How many years have you been at this law school?
   c. [If chairperson] How many years have you served as chairperson?

2. a. How is membership on this committee determined (e.g., elected by faculty, appointed by dean in consultation with faculty)?
   b. Who on the faculty can be a member of this committee, i.e., is it limited to faculty with tenure, or can untenured or non-tenure-track faculty be included?

3. a. How often does this committee meet?
   b. Are meetings more numerous during a certain time of year?

Policies and Procedures

4. Does the law school have written procedures and criteria for the award of promotion and tenure?
   [If yes, obtain a copy.]
   [If no] Why have these not been put in written form?

5. What are the step-by-step procedures this committee follows in evaluating and recommending faculty members for promotion? for tenure?
   [Probe for who is involved at each step; if votes are taken, probe for number required to accept or reject.]

6. Does the dean have the authority to make a separate recommendation concerning the award of promotion? of tenure?
   [If yes] Have the dean's recommendations, in fact, differed from those of the faculty's in the last five years?
   [If yes, probe for the number of males and females and the circumstances of each case.]

7. Are the recommendations by the law school for promotion and tenure reviewed by a university committee, or some other person or group?
   Within the last five years, how many times has the law school's recommendation for promotion or tenure been denied by this group?

8. For each faculty title, please give the following information:
   Is this a tenure-track position?
   Can a faculty member hold this position without tenure?
   Does a faculty member with this title have full voting rights?

APPENDIX 3.2

9. What are the most important criteria for promotion? for award of tenure? [Probe for relative importance of teaching vs. scholarship.]
What is the school's definition of "research," i.e., that which is counted for professional purposes?
How are multiple authorships evaluated for the award of promotion and tenure?
How are publications in areas other than the conventional law subjects evaluated, (e.g., sociology and the law)?

10. Does the committee or some individual on the faculty regularly confer each year with each untenured faculty member to review the faculty member's professional development?
[If yes] What is the nature of this conference? [Probe for the specificity of the discussion.] Are these comments provided in written format to the faculty member?

11. With respect to persons who begin their full-time law teaching careers at you law school, during which years of teaching is a person normally considered for recommendation for tenure?
Is the committee, dean, or faculty member under consideration authorized to postpone the year in which a person is considered for award of tenure?
[If yes] Within the last five years, how many postponements have occurred? [Indicate the number of males and number of females; probe for reasons for the postponement for each.]

12. Which of the following procedures are used to assess the teaching competence of the untenured full-time faculty: classroom observation by a faculty group designated for that purpose, written student evaluations, student consultative committee, interviews with selected students, other. [List each item.]
Are each of these procedures implemented on a regular basis? Does this review occur annually or only the year associated with the promotion or tenure decision?

13. At the time the faculty member is to be considered for tenure, what procedures are used to obtain an assessment of the quality of the candidate's scholarship?
[Probe for whether the stated procedures are, in fact, implemented.]

14. Are evaluations of the faculty member being considered for tenure sought from faculty at other institutions?
[If yes] Is this done in all cases?
Who selects the persons asked to comment?
What is the general nature and substance of this evaluation?
Do faculty ever submit memoranda evaluating their own work?
[If yes] Are these initiated by the faculty member or requested by the committee?

15. Does the law school have a practice, either informally or formally of assisting untenured full-time faculty to increase their competence in teaching?
[If yes] What kinds of assistance are offered? Is the possibility of this assistance communicated to the faculty?

16. Does the law school have a practice of assisting untenured faculty to meet the scholarship requirements for the award of tenure (e.g., through summer research leave or reduced teaching load)?
[If yes] What kinds of assistance are offered? Is the possibility of this assistance communicated to the faculty members?

Tenure Statistics

17. Since July 1973:
How many faculty members who joined the faculty in full-time tenure-track positions have been considered for tenure?
How many have been awarded tenure?
How many have been denied tenure?
[In each instance, give the number of men and of women.]

18. In each case of the denial of tenure since July 1973, please give the reason(s) for the denial.

Women in Law Teaching

19. Do you think that women as a group have problems different from those of men in meeting the criteria for promotion and award of tenure?
[If yes] What are those differences? Do you see any solutions to those problems? What steps, if any, have been taken to implement such solutions?

APPENDIX 3.3

Law School Statistics Form: Faculty Salaries

(On-site Visit)

1979-80 Law School Statistics: FACULTY SALARIES

What are the high, mean (i.e. average), and low base salaries (excluding fringe benefits) of the full-time teachers for the 1979-80 academic year by years since they obtained their first degree in law? Include only full-time teachers.
If there is only one teacher in a category, please list his or her salary on the Mean line.

		Total Group Salary	No.	Men Salary	No.	Women Salary	No.
0-5 Years	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	
6-15 Years	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	
16-25 Years	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	
Over 25 Years	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	

APPENDIX 3.3

1979 Law School Statistics: FACULTY SALARIES

What are the high, mean (i.e. average and low base salaries (excluding fringe benefits) per rank of full-time teachers for the 1979-80 academic year? Include only full-time teachers.
If there is only one teacher in a category, please list his or her salary on the Mean line.

		Total Group Salary	No.	Men Salary	No.	Women Salary	No.
Asst. Professor	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	
Assoc. Professor	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	
Professor	High	$		$		$	
	Mean	$		$		$	
	Low	$		$		$	

APPENDIX 3.3

1979-80 Law School Statistics: FACULTY SALARIES

What are the starting salaries of those who are new to full-time law teaching and who have joined your faculty in 1979-80 academic year?
If there is only one teacher in a category, please list his or her salary on the Mean line.

		Total Group Salary	No.	Men Salary	No.	Women Salary	No.
Asst. Professor	High	$________	____	$________	____	$________	____
	Mean	$________		$________		$________	
	Low	$________		$________		$________	
Assoc. Professor	High	$________	____	$________	____	$________	____
	Mean	$________		$________		$________	
	Low	$________		$________		$________	
Professor	High	$________	____	$________	____	$________	____
	Mean	$________		$________		$________	
	Low	$________		$________		$________	

APPENDIX 3.3

APPENDIX 3.3

1979-80 Law School Statistics: FACULTY SALARIES

Please give the base salaries paid to full-time teachers during the 1979-80 academic year who devote all of their instructional time to clinical teaching. Give the salary regardless of the source from which payment is made.

	Total Group Salary	No.	Men Salary	No.	Women Salary	No.
High	$		$		$	
Mean	$		$		$	
Low	$		$		$	

NOTE: In answering this question, exclude faculty on leave, budgeted but unfilled positions, and persons holding non-voting positions (e.g. clinical instructors) on the faculty. Please include visiting faculty.

APPENDIX 3.4

Law School Statistics Form: Faculty Contact Hours

(On-site Visit)

APPENSIX 3.4

SCHOOL CODE____

1979-80 Law School Statistics: FACULTY CONTACT HOURS

Contact Hours

1. What is the normal number of contact hours which a member of your full-time faculty is expected to teach each year?

______________________________semester/quarter hours

"Contact hours" means the number of credit hours a faculty member teaches each year. In computing contact hours, no reduction should be made in a particular faculty member's contact hours on account of his or her teaching more than one section of the same course.

2. Please state the actual number of persons teaching in the law school during the first semester (or quarter) of the of 1979-80 academic year and the total number of contact hours taught be these person during that semester (or quarter). Exclude from this question all faculty members on research or other leaves.

	Men		Women		Total	
	No.	Total Contact Hours Taught	No.	Total Contact Hours Taught	No.	Total Contact Hours Taught
a. Full-time teachers						
b. Deans & Other Administrators						
c. Clinical Instructors						
d. Teaching Fellows or Associates						
e. Part-time teachers						

Line (a) Full-time Teachers mean persons who devote substantially all of their professional time to teaching and legal scholarship.
"Clinical Teachers" should be included in this line. In this regard, Clinical Instructors referred to in line (c) are to be distinguished from "Clinical Teachers".
Do not include on line (a) Deans, Other Administrators and Librarians who teach at a reduced load. These persons should be included on line b.

Line (b) "Deans and Other Administrators": Exclude all persons who do not teach.

Line (c) "Clinical Instructors": Do not include any contact hours which are attributed to a "Clinical Teacher" on line (a).

Line (d) "Teaching Fellows or Associates": Do not include any contact hours which are attributed to a "Full-time Teacher" on line (a).

Line (e) Self-explanatory.

APPENDIX 3.4

School Code___________

CLINICAL PROGRAM

Please state the number of persons teaching clinical legal education offerings in the law school during the first semester (or quarter) of the 1979-80 academic year and the total number of clinical contact hours taught by these persons during that semester (or quarter).

	Total		Men		Women	
	No.	No. hrs.	No.	No. hrs.	No.	No hrs.
Full-time Teachers devoting all of their instructional time to clinical teaching						
Full-time Teachers devoting a part of their instructional time to clinical teaching						
Part-time Teachers						
Deans, librarians, other adm. personnel teaching at a reduced load						

"Full-time Teachers" means persons who devote substantially all of their professional time to teaching and legal scholarship.

The first line contemplates the person who only teaches clinical offerings, the second line the person who teaches other offerings in addition to clinical offerings.

Exclude teaching associates or fellows, supervising attorneys and the like who work under the direction or supervision of a full-time teacher

****

Please state the number of persons employed by the law school, who, under the direction or supervision of a full-time teacher, will taught/supervised students participating in clinical programs during the first semester (or quarter) of the 1979-80 academic year.

	Men	Women	TOTAL
Full-time Clinical Instructors			
Part-time Clinical Instructors			

APPENDIX 3.5

Law School Statistics Form: Student Information

(On-site Visit)

APPENDIX 3.5

School Code________

1979-80 Law School Statistics: STUDENTS

	Men	Women	Total
1. 1st Year J.D. Students			
a. The number of students enrolled	____	____	____
b. The number of students who have dropped out	____	____	____
c. The number in top 10% of class	____	____	____
2. 2nd Year J.D. Students			
a. The number of students enrolled	____	____	____
b. The number of students who have dropped out	____	____	____
c. The number in top 10% of class	____	____	____
3. 3rd Year J.D. Students			
a. The number of students enrolled	____	____	____
b. The number of students who have dropped out	____	____	____
c. The number in top 10% of class	____	____	____
4. The number of students who will receive credit for faculty-supervised research during the 1979-80 academic year	____	____	____
5. The number of students who are faculty research assistants not receiving credit during the 1979-80 academic year	____	____	____
6. The number of students who are faculty teaching assistants during the 1979-80 academic year	____	____	____

APPENDIX 3.6

Introductory Letter to Deans from the Chairperson of the American Bar Association's Section of Individual Rights and Responsibilities

APPENDIX 3.6

AMERICAN BAR ASSOCIATION

SECTION OF
DIVIDUAL RIGHTS
AND
RESPONSIBILITIES

1800 M STREET, N.W., WASHINGTON, DC 20036 • 202/331-2278

CHAIRPERSON
E Carrington Boggan
5 East 57th Street
New York, NY 10022

CHAIRPERSON-ELECT
Peter F Langrock
P O Box Drawer 351
Middlebury, VT 05753

VICE-CHAIRPERSON
Cruz Reynoso
Court of Appeal
Third Appellate District
119 Library and Courts Bldg
Sacramento CA 95814

SECRETARY
Marna S Tucker
2101 L Street N W
Washington DC 20036

RECORDING SECRETARY
Julius LeVonne Chambers
Independence Blvd Ste 730
Charlotte NC 28202

SECTION DELEGATE TO THE HOUSE OF DELEGATES
Brooksley E Landau
1229 - 19th Street N W
Washington DC 20036

IMMEDIATE PAST CHAIRPERSON
lewelyn G Pritchard
ettle First National Bank Bldg
Seattle WA 98104

COUNCIL MEMBERS
The Officers and

Martha W Barnett
Lakeland FL

David R Brink
Minneapolis, MN

Sara-Ann Determan
Washington, D C

David Ellwanger
Washington, D C

Ruth Bader Ginsburg
New York, NY

Deborah H Greenberg
New York, NY

Marilyn High
New York, NY

Ronald Kessler
Dallas TX

James H Manahan
Mankato MN

Jay A Rabinowitz
Fairbanks, AK

E Donald Shapiro
New York, NY

Bernard Wolfman
Cambridge, MA

LAW STUDENT REPRESENTATIVE
Sandi Coleman
Vermillion, SD

YOUNG LAWYERS REPRESENTATIVE
Marilyn Seichter
Hartford, CT

BOARD OF GOVERNORS LIAISON
Wm Reece Smith, Jr
Tampa FL

STAFF DIRECTOR
Jeanne Rashbaum
1800 M Street, N W
Washington, DC 20036

ASSISTANT TO THE STAFF DIRECTOR

January 22, 1980

Dear Dean__________:

The American Bar Association's Section of Individual Rights and Responsibilities has a research project to study the status of women on law faculties. The purpose is to assess the policies, procedures, and attitudes concerning the recruitment of women to law faculties, with the hope that suggestions and recommendations will be forthcoming for law schools in their attempts to recruit women and for individuals in their aspirations to law teaching.

The study has been funded by DHEW's National Institute of Education in the amount of $69,000, with a matching grant of $8,000 from New York Law School. It is housed in our Washington office in the Division of Public Service Activities. The project director is Dr. Elizabeth Ashburn, an educational psychologist who has published in the area of women in the professions and has done considerable work in educational research.

The project began in early October. Since then the Advisory Committee has met and data have been gathered from law teaching applicants at the Association of American Law Schools Recruitment Conference. The next phase of the project is collection of data from ten law schools, which have been chosen by the project director because of their geographic accessibility and the varying proportions of women on the faculty.

I am requesting that your school participate in this study. The project director and her assistant would like to spend approximately two days at your school in interviews with you and other administrators and faculty members. Let me assure you that this is a study of general processes and trends, not of individuals or of particular schools. The study is totally unrelated to any other activities of the American Bar Association (i.e. accreditation). All information given by the participants will be confidential.

January 22, 1980

Enclosed is a letter from Dr. Ashburn explaining the project in further detail. The Association would greatly appreciate your cooperation in this scholarly research project which should produce helpful data for understanding professional recruitment in legal education.

Sincerely yours,

E. Carrington Boggan

E. Carrington Boggan
Chairperson
Section of Individual Rights and
Responsibilities

ECB/ml

Enclosure

APPENDIX 3.7

Introductory Letter to Deans
From the Executive Director of the
Association of American Law Schools

APPENDIX 3.7

ASSOCIATION OF AMERICAN LAW SCHOOLS
Suite 370, One Dupont Circle, N.W.
Washington, D.C. 20036
202/296-8851

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University of Texas
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January 22, 1980

RE: American Bar Association's Section of Individual Rights and Responsibilities Study of Women on Law Faculties

Dear Colleague:

The Section of Individual Rights and Responsibilities of the American Bar Association has received a grant from the National Institute of Education (NIE), Department of Health, Education and Welfare to undertake a study of women on law faculties. NIE has made a grant of $69,000 and the New York Law School has contributed $8,000 to this study. The principal investigator is Dr. Elizabeth Ashburn.

The purpose of this study is to describe the process of women's entry into law teaching. Of particular interest are: (1) the identification of problems and successes from the administrative standpoint in the recruitment and hiring of women; (2) the role of social processes; and (3) the impact of individual perceptions and attitudes.

Dr. Ashburn has asked that I write you on her behalf and on behalf of the study. I am very happy to do so and to authorize the inclusion of this letter in her communication with you about the project. Although I do not know your identity, I understand the purpose of her inquiry is to enlist the cooperation of your school as one of the study's ten field research institutions, a matter, of course, for your personal decision. While our Association has not participated in developing this study and has no responsibility for its results, my conversations with Dr. Ashburn and my examination of some of her staff documents persuade me that she is a very responsible investigator and that the results are likely to be quite useful.

Sincerely yours,

Millard

Millard H. Ruud
Executive Director

cc: Professor Jerre S. Williams
Dean Albert M. Sacks

APPENDIX 3.8

Introductory Letter to Deans
From the Chairperson of the American Bar Association's
Section of Legal Education and Admissions to the Bar

APPENDIX 3.8

AMERICAN BAR ASSOCIATION

S[illegible]ION OF LEGAL
EDUCATION AND
ADMISSIONS TO
THE BAR

1155 EAST 60TH ST., CHICAGO, ILLINOIS 60637 TELEPHONE (312) 947-3856

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Lawrence Newman
425 Park Avenue
New York, NY 10022

CHAIRMAN-ELECT
Willard L. Boyd
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Cruz Reynoso
Sacramento, CA

Thomas B. Stoel, Jr.
Washington, DC

CONSULTANT ON LEGAL EDUCATION TO THE AMERICAN BAR ASSOCIATION
James P. White
Indiana University
School of Law
735 West New York Street
Indianapolis, IN 46202

YOUNG LAWYERS DIVISION LIAISON
Donald P. Ubell
Bethesda, MD

LAW STUDENT DIVISION LIAISON
Diane Smith
Lansing, MI

STAFF DIRECTOR
Frederick R. Franklin
American Bar Center
1155 East 60th Street
Chicago, IL 60637

January 21, 1980

Elizabeth A. Ashburn, Ph.D.
Project Director
Women on Law Faculties Study
American Bar Association
1800 M Street, N.W.
Washington, DC 20036

Dear Dr. Ashburn:

Dean Bearn of New York Law School has talked with me about your project to study women on law faculties. The additional project materials which you sent me were most informative.

The project appears to be a carefully planned and systematic study of the issues related to the recruitment of women to law school faculties. It is interesting to note that you will interview men as well as women. I am particularly impressed by your strategy to assess the individual factors as well as the institutional factors which may influence this process.

I look forward to reviewing your findings and am confident that you will enjoy cooperation from the law school community which has a great interest in responsible research of this kind.

Sincerely yours,

Lawrence Newman

Lawrence Newman
Chairman

LN:bsm
5861D

cc: E. Carrington Boggan, Chairperson, Section of Individual Rights and Responsibilities
Hope B. Eastman, Chairperson, Advisory Committee, Section of Individual Rights and Responsibilities Women on Law Faculties Study
Thomas B. Stoel, Jr., Section of Legal Education and Admissions to the Bar, representative to Advisory Board, Women on Law Faculties Study
James P. White, Consultant on Legal Education to the American Bar Association
Frederick R. Franklin, Staff Director, Section of Legal Education and Admission to the Bar

APPENDIX 3.9

Introductory Letter to Deans
From the Project Director of the
American Bar Association's Women on Law Faculties Study

APPENDIX 3.9

AMERICAN BAR ASSOCIATION

SECTION OF
INDIVIDUAL RIGHTS
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1800 M STREET N.W. WASHINGTON DC 20036 • 202 331 2278

CHAIRPERSON
E Carrington Boggan
5 East 57th Street
New York NY 10022

CHAIRPERSON ELECT
Peter F Langrock
P.O. Box Drawer 351
Middlebury VT 05753

VICE CHAIRPERSON
Cruz Reynoso
Court of Appeal
Third Appellate District
119 Library and Courts Bldg
Sacramento CA 95814

SECRETARY
Marna S Tucker
2101 L Street N.W.
Washington DC 20036

RECORDING SECRETARY
Julius LeVonne Chambers
1 S Independence Blvd Ste 730
Charlotte NC 28202

SECTION DELEGATE TO THE HOUSE OF DELEGATES
Brooksley E Landau
1229 19th Street N.W.
Washington DC 20036

IMMEDIATE PAST CHAIRPERSON
Llewelyn G Pritchard
Seattle First National Bank Bldg
Seattle WA 98104

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Washington DC

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Dallas TX

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Mankato MN

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Fairbanks AK

E Donald Shapiro
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Cambridge MA

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Vermillion SD

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Hartford CT

BOARD OF GOVERNORS LIAISON
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Tampa FL

STAFF DIRECTOR
Joanne Rashbaum
1800 M Street N.W.
Washington DC 20036

ASSISTANT TO THE STAFF DIRECTOR
Jocelyn C Deal
Washington DC

January 22, 1980

Dear Dean ____________________:

E. Carrington Boggan, Chairperson of the Section of Individual Rights and Responsibilities, has written to you regarding the American Bar Association's Study of Women on Law Faculties. I have enclosed a more complete summary description of the project. Also enclosed is a list of the study's Advisory Committee, which had its first meeting on November 16, 1979 to address study design issues. In addition, there are letters from Lawrence Newman, Chairperson of the American Bar Association's Section of Legal Education and Admissions to the Bar and Millard Ruud, Executive Director of the Association of American Law Schools.

We would like to include your school in the study as we attempt to define the recruitment processes which are different for men and women on law faculties. We are not interested in assessing particular schools or particular individuals. Our focus is, rather, on attitudes, problems, and successes related to recruitment to law school teaching.

Confidentiality of participants and information is of utmost concern to our research. All data will be accessible only to those researchers directly involved in the data analysis. Schools and individuals will be identified by code numbers only. Only general characteristics of the schools and data pertaining to group trends will be reported. You will, of course, receive a full study report.

We would like to talk with you and with a selected group of your faculty members, including those on your recruitment, promotion, and tenure committees, as well as any other officials who deal with the school's recruitment process. Our interviews with each person will last approximately an hour.

January 22, 1980

We will also distribute a questionnaire to some of the students regarding their attitudes about law school teaching. Men's views are of interest as well as those of women. My research assistant and I will conduct these interviews, and I estimate we will spend approximately two days at your school. We will certainly need your assistance in identifying the appropriate faculty and officials to interview and in the distribution of the student questionnaires.

I will call you during the week of January __ to discuss your school's participation in our study. We hope to schedule our visit with you the week of February __; we are, however, flexible in regard to our visit with you, as we want very much to avoid undue intrusion into busy faculty and student schedules. I look forward to talking with you.

Sincerely yours,

Elizabeth A. Ashburn, Ph.D.
Project Director
Women on Law Faculties Study

EAA/ml

Enclosures

APPENDIX 3.10

Project Summary and
Project Advisory Committee List

APPENDIX 3.10

AMERICAN BAR ASSOCIATION

January 22, 1980

Study of Women on Law Faculties
Section of Individual Rights and Responsibilities

PROJECT SUMMARY

The Section of Individual Rights and Responsibilities of the American Bar Association has a grant from the National Institute of Education (NIE), Department of Health, Education and Welfare to undertake a study of women on law faculties. NIE has made a grant of $69,000 and the New York Law School has contributed $8,000 to this study. The principal investigator is Dr. Elizabeth Ashburn.

The purpose of this study is to describe the process of women's entry into law teaching. Of particular interest are: (1) the identification of problems and successes from the administrative standpoint in the recruitment and hiring of women; (2) the role of social processes; and (3) the impact of individual perceptions and attitudes.

Data have been collected thus far at the Association of American Law Schools Recruitment Conference on November 30 and December 1, 1979. A questionnaire was distributed to law teaching applicants at the conference; 94 men and 28 women returned completed questionnaires. These data will be analyzed for differences between men and women on recruitment experiences and law teaching perceptions, aspirations, and expectations. In addition, four men and four women were interviewed in-depth about issues in recruitment, the job-search process, and attitudes about law teaching.

A comprehensive report of the study will be written, including recommendations for the recruitment of women to the profession. A shorter report will be developed for dissemination to professionals concerned with these issues.

An advisory committee has been established consisting of Carol Kamin Bellows; William Bruce; Hope Eastman; Donna Fossum; Ruth Bader Ginsburg; Judge Charles Joiner; Brooksley E. Landau; Jean Levin, Soia Mentschikoff; Lizabeth A. Moody; Judge Dorothy W. Nelson; Rhonda R. Rivera; Thomas B. Stoel; and Marna Tucker. E. Carrington Boggan and Peter F. Langrock serve in an ex officio capacity.

APPENDIX 3.10

PROJECT ADVISORY COMMITTEE

Section of Individual Rights and Responsibilities
American Bar Association

Carole Kamin Bellows
Attorney
Reuben & Proctor
Chicago, Illinois

William Bruce
Associate Dean
New York Law School

Hope Eastman
Attorney
C. Morgan, Jr. and Associates
Washington, D.C.

Donna Fossum
Research Attorney
American Bar Foundation

The Honorable Ruth Bader Ginsburg
U.S. Court of Appeals
District of Columbia

The Honorable Charles W. Joiner
U.S. District Court
Detroit, Michigan

Brooksley E. Landau
Attorney
Arnold and Porter
Washington, D.C.

Jean Levin
President
The Workplace, Inc.
Washington, D.C.

Soia Mentschikoff
Dean
University of Miami
School of Law

Lizabeth A. Moody
Professor
Cleveland-Marshall College of Law

The Honorable Dorothy W. Nelson
U.S. Court of Appeals
Los Angeles, California

Rhonda R. Rivera
Professor
Ohio State University
College of Law

Thomas B. Stoel
Executive Director of the
International Project
Natural Resources Defense Council
Washington, D.C.

Marna S. Tucker
Attorney
Boasberg, Klores, Feldesman and
Tucker
Washington, D.C.

E. Carrington Boggan (ex officio)
Chairperson
Section of Individual Rights and
Responsibilities
American Bar Association

Peter F. Langrock (ex officio)
Chairperson-Elect
Section of Individual Rights and
Responsibilities
American Bar Association

APPENDIX 3.11

Site Visit Draft Memorandum

APPENDIX 3.11

DRAFT

__________, 1980

MEMORANDUM

TO: Faculty, Staff, Students

FROM: Dean __________________

RE: American Bar Association's Section of Individual Rights and Responsibilities study of law faculties

Our law school is one of ten selected for inclusion in a study of women in law teaching. This study is sponsored by the American Bar Association's Section of Individual Rights and Responsibilities and funded by the National Institute of Education (Department of Health, Education, and Welfare).

On ___(date)___, Dr. Elizabeth Ashburn (the project director) and her research assistant, Ms. Elena Cohen, will be on our campus to collect information from various individuals. Dr. Ashburn will contact specific individuals directly, requesting either an interview or a response to a questionnaire. Not everyone will be requested to participate. All information will be confidential. No names will be used in the analysis of the data by the researchers, and our school will not be identified in the study's report.

I am requesting that you give Dr. Ashburn and Ms. Cohen your cooperation and support. The study's findings should be quite helpful in understanding the current status of men and women in law teaching.

APPENDIX 4.1

Law Faculty Interview Questions

(On-site Visits)

APPENDIX 4.1

LAW FACULTY INTERVIEW QUESTIONS

Entry into Law Teaching

1. What were the major reasons you decided to go into law teaching?

2. What were the most important experiences or accomplishments, during law school or after, which you think helped you most in attaining a law teaching position? [e.g., publications, law school grades, law review experience.]

3. Were there people whom you have tried to emulate in your role as a law teacher? [If yes] Were these people men or women? What behavior have you tried to emulate?

4. Were there people who acted as your "sponsor" for your professional achievements in law teaching? For example, someone who has recommended you, introduced you to others who could help you, helped you with your law teaching responsibilities?
   [If no] Would you have wanted to have a sponsor?
   [If yes] Were these people men or women?
   What was the person's relationship to you [e.g., colleagues, professor]?
   What specifically did these people do to help you?

5. Did you receive information while you were in law school, through either formal or informal channels, about the possibility of your pursuing a law teaching career?
   [If yes] What was the primary source of your information?

6. Concerning your first full-time teaching job:
   a. Would you describe how you got your first full-time law teaching job?
   b. How many schools did you seriously consider?
   c. What steps did you take in your job search? [e.g., letters and resumes to schools, law school placement service, contacted former professors] When did this take place?
   d. How many offers did you receive?
   e. If you received more than one offer, what was the major reason you made the choice you did?
   f. What was the initial contact with the school you chose?
   g. Was this position tenure-track?

7. [If current position is at a school different from first full-time position] Would you describe how you got your current teaching position? [Follow format as in #6.]

8. Concerning the law teaching job-getting process:
   a. Given that a law faculty prospect has the "appropriate" academic credentials,
      what do you think is the primary way he or she obtains a law teaching job? [e.g., "old boy" network, AALS Recruitment Conference, one particular sponsor].
   b. Is your perception of this process different from the one you held when you first began to look for a law teaching position?
      [If yes] What is primary way in which it is different?

9. Do you think the current process of obtaining a law teaching position is different for men than for women?
[If yes] Would you describe the difference?

Teaching Activities

10. Are you teaching the courses you want to teach?
[If no] Why not?

11. Are you teaching at the hours during the day that you want to teach?
[If no] Why not?

12. Is there any aspect of your teaching assignment that you would like to be different?
[If yes] What is it?

13. Given that most of us would like to improve at whatever we do and given your teaching experience are you teaching as well as you would like to teach?
[If no] what is the primary reason for this? Are you doing anything to change this situation? [If yes] What?

14. Which of your teaching skills are you most pleased with? [e.g., lecturing, promoting discussion]

15. Concerning evaluation of faculty:
    a. Would you describe the process by which your colleagues evaluate your teaching:
    b. Is there classroom observation by faculty members?
    [If yes] Please describe that process.
    c. Are there written student evaluations?
    d. Are there informal consultations with students?
    e. Are there any other methods?

16. What do you think is your colleagues' evaluation of the quality of your teaching: excellent, very good, good, fair, poor, don't know, they don't know about my teaching abilities?

Research Activities

17. Concerning your publishing rate:
    a. Are you publishing at the rate you would like to publish?
    [If no] What is the primary reason for this?
    b. What are your plans, if any, regarding publishing in the future?

18. Concerning evaluation of your publications:
    a. [If published] What is your evaluation of the quality of your publications: excellent, very good, satisfactory, fair, poor?
    b. What do you think is your colleagues' evaluation of the quality of your publications: excellent, very good, satisfactory, fair, poor, don't know, they have not read them?

19. How important is "scholarly work" at this school as a basis for promotion and award of tenure: very important, somewhat important, not important?

20. Are you satisfied with the staff assistance you have to support your research and publication activities?
[If no] Why are you not satisfied?

21. What resources have you received to facilitate your research [e.g., paid research leave, reduced teaching load, research assistants]?

22. Have there been any resources which you have tried to obtain, but which you have not obtained? [If yes] Please explain the circumstances.

General Perceptions of Law Teaching

23. In relation to other types of law positions, such as private practice or government, how important is law teaching to you: most preferred, one of several types of legal positions you would be satisfied with, actually prefer another type of law position (probe for what type) don't know.

24. What are your future career plans regarding law teaching: remain in law teaching, leave law teaching for a few years, leave law teaching entirely, unsure, other (specify)?

25. What is the chief drawback in your opinion, of law teaching in general? [e.g., salary, pressure to publish, little time for practice]

26. What is the one major drawback, if you see one, to being a faculty member at this particular law school? [e.g., research facilities, conformance to university policies, lack of collegiality, not enough women]

27. What do you find is the one most satisfying part of law teaching in general? [e.g., time in class, research]

Perceptions of the Law Teaching Environment at Current Institution

28. Do you have colleagues who help you achieve professionally, such as by providing information about professional opportunities, discussing professional problems?
[If yes] Would you describe who these people are and the kind of information and support which occurs?

29. Concerning information about this school's promotion and tenure process:
    a. Do you obtain information from your colleagues about the "politics" of being promoted and gaining tenure on this faculty?

[If no] Could you tell me the primary reason why you do not obtain this kind of information?

b. Do you have a written statement of the procedures and criteria for promotion and the award of tenure? If so, how did you obtain this: from the law school dean, from the university dean, from a faculty member, or from some other source?

30. In general, do you think you "fit in" at this law school?

31. Who do you think has the most power to make decisions concerning faculty recruitment activities, i.e., whose decisions are usually followed in such things as where to recruit, methods of recruitment, kinds of applicants to recruit: dean, committee chairperson, committee, faculty, other?

32. Who do you think has the most power concerning hiring decisions, i.e., whose decisions are usually followed: dean, committee chairperson, committee faculty, other?

33. Who do you think has the most power concerning promotion decisions, i.e., whose decisions are usually followed: dean, committee chairperson, committee, faculty, other?

34. Who do you think has the most power concerning tenure decisions, i.e., whose decisions are usually followed: dean, committee chairperson, committee, faculty, other?

35. Concerning your role in decision making:

   a. How much power do you think you have in influencing decisions at this school which are important to you: none, a little, an average amount, a great deal?
   b. Would you describe briefly what types of decisions are important to you?
   c. Do you want more power than you have?
      [If no] Why do you not want any more power?
      [If yes] Why do you not have more power than you do?

Perceptions of Sex Differences

36. Do men students respond differently to you than do women students? [If yes] How are their responses different?

37. Do you think there are differences between men and women in their performance as law faculty members? [If yes] Would you describe the major differences?

38. Do you think there are any differences in the way men and women faculty members are treated at this law school by the faculty? [If yes] Would you describe these differences?

39. Do you think there are any differences in the way men and women faculty members are treated at this law school by the

administration?
[If yes] Would you describe these differences?

40. Do you think there are any differences in the way men and women faculty are treated by the students at this law school?
[If yes] Would you describe these differences?

41. According to recent ABA statistics, women constitute approximately 10 percent of full-time law teachers. In your opinion, what is the primary reason there is not a higher percentage of women on law faculties?

42. Are you doing anything to encourage women in particular to go into law teaching [If yes] What?

43. Do you think that women have problems which men do not have in adjusting to the law school environment and to the demands of law teaching?
[If yes] What changes do you think might be made from an institutional standpoint to solve these problems?
Have you taken any steps to accomplish this?

APPENDIX 4.2

Law Faculty Questionnaire

(On-site Visits)

APPENDIX 4.2

CODE NO. ____________

ABA LAW TEACHING STUDY

DIRECTIONS: Unless otherwise noted, please indicate the code number of your responses in the space indicated in the right-hand margin. In some cases, you will be asked to provide short answers in the spaces indicated, rather than a coded answer.

---

1. How many of your female relatives are (were) lawyers, law teachers, or university professors? (1) ____________

2. How many of your male relatives are (were) lawyers, law teachers, or university professors? (2) ____________

3. In what area of the U.S. were you raised? (3) ____________

   1 = Northeast
   2 = South
   3 = Midwest
   4 = West
   5 = Other (please specify ________________________)

4. Marital status: (4) ____________

   1 = single
   2 = married
   3 = separated or divorced
   4 = widowed

5. If married, please indicate spouse's:

   a. occupation ________________________ (5) ____________
   b. highest degree obtained ________________________ (6) ____________

6. Please indicate how many children you have in each category:

   a. number under 5 years old (7) ____________
   b. number 5 - 12 years old (8) ____________
   c. number over 12 years old (9) ____________
   d. number of other dependents (10) ____________

7. Experience in law school:

   a. Class standing in law school (11) ____________

      1 = top third
      2 = middle third
      3 = bottom third
      4 = do not know

   b. Law Review (12) ____________

      1 = no
      2 = yes

   c. Other law journals and/or legal research and writing, besides coursework (13) ____________

      1 = no
      2 = yes

   d. Order of the Coif (14) ____________

      1 = no
      2 = yes
      3 = not applicable

APPENDIX 4.2

8. When did you decide to enter law teaching? (15) ________

1 = Before entering law school
2 = During law school (1st year)
3 = During law school (2nd year)
4 = During law school (3rd year)
5 = 0 to 4 years after law school
6 = More than 4 years after law school

9. Publications: Please indicate the number in each category.

a. Number of articles (including book chapters) of which you are the sole author (16) ________
b. Number of articles (including book chapters) of which you are co-author (17) ________
c. Number of books of which you are sole author (18) ________
d. Number of books of which you are co-author (19) ________
e. Number of other publications which you consider to be major (please specify type of publication ________ ________) (20) ________

10. How many committees do you serve on at the present time?

a. Number of law school committees (21) ________
b. Number of University committees (if applicable) (22) ________

11. Do you serve as chairperson of any committee at the present time? (23) ________

1 = No, 2 = Yes

If yes, please specify ________
____

12. How many hours do you spend in class each week? (If it varies from week to week, indicate the average number of hours.) (24) ________

13. Please indicate how many hours per week, on the average, you spend in the following activities:

a. Administrative activities, e.g. faculty and committee meetings, other committee activities (25) ________
b. Research and writing (26) ________
c. Class preparation (27) ________
d. Informal time with students (career guidance, personal problems, etc.) (28) ________
e. Service to the legal profession (e.g., ABA, AALS); please specify ________ (29) ________
f. Pro bono work; please specify ________
________ (30) ________

APPENDIX 4.2

14. The purpose of this question is to measure the importance to you of specific career goals and your expectations for achieving those goals.

a. Please indicate the importance to you of each of the following goals in your law teaching career.

1 = no importance
2 = little importance
3 = some importance
4 = great importance

Advance in faculty rank (31) __________

Attain top administrative position (32) __________

Exercise leadership (33) __________

Achieve national reputation (34) __________

Have colleagues' respect (35) __________

Transmit legal knowledge (36) __________

Have freedom from supervision (37) __________

Do research and writing (38) __________

Have time for family (39) __________

Help students (40) __________

Other (Please specify): ____________________ (41) __________

b. What are your expectations of the probability of achieving these goals in you law teaching career?

0 = not a goal
1 = unlikely
2 = possible
3 = probable
4 = near certain
5 = have already achieved this goal

Advance in faculty rank (42) __________

Attain top administrative position (43) __________

Exercise leadership (44) __________

Achieve national reputation (45) __________

Have colleagues' respect (46) __________

Transmit legal knowledge (47) __________

Have freedom from supervision (48) __________

Do research and writing (49) __________

Have time for family (50) __________

Help students (51) __________

Other (Please specify): ____________________ (52) __________

APPENDIX 4.2

15. a. How important do you think it is for the ideal law teacher to have the following characteristics?

0 = not important
1 = somewhat important
2 = very important

Analytic (53) ____________

Honest (54) ____________

Self-disciplined (55) ____________

Perserverant (56) ____________

Objective (57) ____________

Practical (58) ____________

Sincere (59) ____________

Sense of humor (60) ____________

Friendly (61) ____________

Competitive (62) ____________

Articulate (63) ____________

Aggressive (64) ____________

Compassionate (65) ____________

b. To what degree to you think you possess these same characteristics?

0 = not at all
1 = to some degree
2 = to a great degree

Analytic (66) ____________

Honest (67) ____________

Self-disciplined (68) ____________

Perserverant (69) ____________

Objective (70) ____________

Practical (71) ____________

Sincere (72) ____________

Sense of humor (73) ____________

Friendly (74) ____________

Competitive (75) ____________

Articulate (76) ____________

Aggressive (77) ____________

Compassionate (78) ____________

THANK YOU.

APPENDIX 5.1

Law Student Cover Letter and Questionnaire

(On-site Visit)

APPENDIX 5.1

ABA AMERICAN BAR ASSOCIATION

SECTION OF
INDIVIDUAL RIGHTS
AND
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1800 M STREET, N.W., WASHINGTON, DC 20036 • 202/331-2278

CHAIRPERSON
E Carrington Boggan
5 East 57th Street
New York NY 10022

CHAIRPERSON-ELECT
Peter F Langrock
P.O Box Drawer 351
Middlebury VT 05753

VICE-CHAIRPERSON
Cruz Reynoso
Court of Appeal
Third Appellate District
119 Library and Courts Bldg
Sacramento CA 95814

SECRETARY
Marna S Tucker
2101 L Street N W
Washington DC 20036

RECORDING SECRETARY
Julius LeVonne Chambers
951 S Independence Blvd Ste 730
Charlotte NC 28202

SECTION DELEGATE TO THE HOUSE OF DELEGATES
Brooksley E Landau
1229 - 19th Street N W
Washington DC 20036

IMMEDIATE PAST-CHAIRPERSON
Llewelyn G Pritchard
2800 Seattle First National Bank Bldg
Seattle WA 98104

COUNCIL MEMBERS
The Officers and

Martha W Barnett
Lakeland FL

David R Brink
Minneapolis MN

Sara-Ann Determan
Washington, D C

David Ellwanger
Washington, D C

Ruth Bader Ginsburg
New York, NY

Deborah H Greenberg
New York, NY

Marilyn Hoft
New York, NY

Ronald Kessler
Dallas TX

James H Manahan
Mankato, MN

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Washington, DC

March 1980

Dear law student:

The American Bar Association's Section of Individual Rights and Responsibilities is conducting a study of women in law teaching, funded primarily by the National Institute of Education, Department of Health, Education, and Welfare. One aspect of the research concerns the extent to which male and female law students have different perceptions and experiences during law school, and the extent to which these affect their attitudes about law teaching as a career option.

The dean has agreed that your school be included as one of ten in this study. You are among the students we have selected to participate. We are requesting that you respond to the enclosed questionnaire, which should take you less than 30 minutes to complete.

To ensure that your responses remain anonymous, do not put your name on the questionnaire. Futhermore, since the identity of the participating schools will not be revealed in the study's report, we also request that you keep confidential your participation in this study.

Within the next two days, please return your completed questionnaire to the location noted below or to:

Dr. Elizabeth Ashburn
American Bar Association
1800 M Street, N.W.
Washington, D.C. 20036

Since we are asking only a small group of law students to participate, your responses are extremely important. Thank you again for your help in this study.

Sincerely,

Elizabeth A. Ashburn

Elizabeth A. Ashburn, Ph.D.
Project Director

APPENDIX 5.1

ABA LAW TEACHING STUDY: LAW STUDENT SURVEY

DIRECTIONS:

Please write the code number of your responses in the numbered spaces indicated in the left-hand margin. For some questions, you will be asked to provide a short answer in the space indicated. When you have completed the questionnaire (which should take less than 30 minutes), please return it as soon as possible to the location indicated in the letter, or mail to:

Dr. Elizabeth Ashburn
American Bar Association
1800 M Street, N.W.
Washington, D.C. 20036

Background Information

____[1] 1. Sex: (1)=male, (2)=female

____[2] 2. Age

____[3] 3. Year in law school: (1)=1st year, (2)=2nd year, (3)=3rd year, (4)=other (please specify ________________)

____[4] 4. Marital status: (1)=single, (2)=married, (3)=divorced or separated, (4)=widowed

5. How many children do you have in each of the following categories? (If none, write "0")

____[5] a. number of children under 5 years of age

____[6] b. number of children 5 to 12 years of age

____[7] c. number of children over 12 years of age

6. Relatives' Occupations

____[8] a. number of male relatives who are/were teachers in a college or university

____[9] b. number of female relatives who are/were teachers in a college or university

____[10] c. number of male relatives who are/were attorneys

____[11] d. number of female relatives who are/were attorneys

____[12] 7. Racial background: (1)=white, (2)=black, (3)=other (please specify ____________________)

____[13] 8. Other postgraduate education: (1)=none, (2)=Master's degree, (3)=Ph.d, (4)=other (please specify ______________________)

Law School Experiences

____[14] 9. Class standing: (1)=top 10%, (2)=top third, (3)=below top third, (4)=do not know class standing

____[15] 10. Are you on Law Review: (1)=no, (2)=yes

(Question continued on next page)

(Question 10 continued)

If no,

____[16] a. What was the one most important reason you were not on Law Review? (1)=I was rejected, (2)=I did not compete because I think I am not qualified, (3)=I did not compete because Law Review takes too much time, (4)=I did not compete because I'm not interested in that kind of work, (5)=other (please specify ______________________________)

If yes,

____[17] b. Which one choice most accurately describes your position on the Law Review? (1)=editor-in-chief, (2)=editorial staff member, (3)=business staff member, (4)=other (please specify ______________________)

____[18] c. On what basis were you invited to join the Law Review? (1)=grades alone, (2)=writing competition alone, (3)=both grades and writing competition, (4)=other (please specify ______________________)

11. Other activities in which you have participated (or positions you have held) during your law school years:

____[19] a. research assistant: (1)=no, (2)=yes

____[20] b. teaching assistant: (1)=no, (2)=yes

____[21] c. author or co-author of published work: (1)=no, (2)=yes

____[22] d. work on other publications besides Law Review: (1)=no, (2)=yes

____[23] e. clerk: (1)=no, (2)=yes (if yes, please specify type of organization for which you clerked, e.g., type of court, private firm, public interest group: ______________________)

____[24] f. work relating to law school faculty recruitment/hiring/promotion/tenure process: (1)=no, (2)=yes (if yes, please specify process in which you were involved and the nature of your involvement)

____[25] g. member of women's group: (1)=no, (2)=yes (if yes, please specify which group(s) ______________________)

____[26] h. other major activities: (1)=no, (2)=yes (If yes, please specify ______________________)

12. Subject preference. (Do not write in space [27] or [28])

____[27] a. favorite legal subject matter: ______________________

____[28] b. least favorite legal subject matter: ______________________

13. Your perceptions of law school: On the whole, law school has been:

____[29] a. (1)=unenjoyable, (2)=enjoyable

____[30] b. (1)=not stressful, (2)=stressful

____[31] 14. Have you ever refused a law-related opportunity offered to you? (e.g., refused acceptance at a more prestigious law school, refused invitation to clerk or be on Law Review?) (1)=no, (2)=yes

If no, go to Question 15.

(Question continued on next page)

(Question 14 continued)

If yes,

_____[32] a. Please specify the nature of opportunity(ies), and the major reason(s) for refusal(s) (do not write on space [32])

_____[33] b. Do you have any major regrets about the decision(s): (1)=no, (2)=yes (if yes, please specify)

Law Teachers and the Law Teaching Profession

_____[34] 15. Number of female law teachers from whom you have taken courses

If none, write "0" and go to Question 16.

If 1 or more, answer a and b.

_____[35] a. Considering the law teachers from whom you have taken courses, do you think that, generally, the female law teachers are/were: (1)=less competent than male teachers, (2)=equally as competent as male teachers, (3)=more competent than male teachers.

_____[36] b. Do you think that, generally, this school's faculty or administration treats female faculty members differently than they treat male faculty members? (1)=no, (2)=yes (if yes, please describe differences briefly):

16. Please indicate whether you think:

_____[37] a. at this law school it is generally: (1)=less difficult for women to get law teaching jobs than it is for men, (2)=equally as difficult for both men and women, (3)=more difficult for women than for men

_____[38] b. discrimination against women in the law teaching profession is: (1)=nonexistent, (2)=occasional, (3)=frequent

_____[39] c. discimination against women in other areas of the legal profession is generally: (1)=nonexistent, (2)=occasional, (3)=frequent

_____[40] d. at this law school, standards for hiring women in law teaching are generally: (1)=lower than they are for men, (2)=the same as they are for men, (3)=higher than they are for men

_____[41] e. at this law school, standards for granting promotion/tenure to women law teachers are generally: (1)=lower than they are for men, (2)=the same as they are for men, (3)=higher than they are for men

_____[42] 17. Do you think the faculty recruitment/hiring/promotion/tenure process at this institution is generally equitable? (1)=no (please specify

____

____

____), (2)=yes

____[43] 18. According to statistics, women constitute approximately 10% of full-time law teachers. Please indicate which one of the following reasons you think primarily explains why the percentage is not higher:

(1)=the qualified women are accepting positions which are more lucrative or prestigious
(2)=there are not enough women as yet who have the essential training and experience to be law teachers
(3)=women are less interested than men in law teaching
(4)=women find the law school environment more stressful than do men
(5)=women are not as aware as men are about law teaching as a possible career option
(6)=law schools do not really want women on the faculty
(7)=other (please specify)

Career Options and Law Teaching

____[44] 19. Have you ever considered law teaching as a possible career option? (1)=no, (2)=yes

If yes, go to Question 20.

If no, answer a - c.

____[45] a. Which one of the following is the primary reason you have not considered law teaching as an option? (1)=it never occurred to me, (2)=no one ever encouraged me to pursue it, (3)=it offers a low salary relative to other professions in the legal field, (4)=I don't think I am qualified, (5)=I prefer the "action" orientation of practice, (6)=I don't think I would "fit in" with other law faculty members, (7)=other (please specify)

____[46] b. Which one of the following is the second most important reason you have not considered it: (1)=it never occurred to me, (2)=no one ever encouraged me to pursue it, (3)=it offers a low salary relative to other professions in the legal field, (4)=I don't think I am qualified, (5)=I prefer the "action" orienation of practice, (6)=I don't think I would "fit in" with other law faculty members, (7)=other (please specify)

____[47] c. Which one of the following areas are you most likely to enter? (1)=legally related work in government, (2)=private legal practice, (3)=legal representation of corporations, (4)=legally related work in banks or trusts, (5)=legal aid or public interest law, (6)=non-legal work (please specify ________________________________)

Please go to Question 25.

____[48] 20. When did you first consider law teaching as a possible career choice? (1)=before law school, (2)=during 1st year in law school (including summer after 1st year), (3)=during 2nd year in law school (including summer after 2nd year), (4)=during 3rd year in law school (if you are not in a three-year program, translate comparable time into above choices).

APPENDIX 5.1

_____[49] 21. Compared to other types of legal positions (e.g., private practice or work in government), how desirable is law teaching to you? (1)=highly desirable, (2)=desirable, (3)=one of several types of positions I am considering equally (please specify _____________________ _____________________)

_____[50] 22. Reasons for law teaching.

a. Which one of the following is the primary reason you have considered law teaching? (1)=I've had individual(s) who encouraged me. If so, for each individual, please indicate gender and relation to you, e.g., male teacher, female friend, male relative:

(2)=I think law teaching allows for flexibility, (3)=I think I would enjoy teaching, (4)=I think law teaching would give me a sense of personal impact on legal education, policy, or students, (5)=I think I would enjoy research and writing, (6)=I enjoy the intellectual stimulation of the academic environment, (7)=I dislike the idea of private practice, (8)=other primary reason (please specify)

_____[51] b. Which one of the reasons in 22a is the second most important reason you have considered law teaching? (If (1), please specify individual(s))

23. Indicate which of the following steps you have taken to secure a law teaching position:

_____[52] a. done nothing: (1)=have not taken any steps, (2)=have taken at least one step

_____[53] b. discussed it with faculty members on an informal basis: (1)=no, (2)=yes

_____[54] c. responded to advertisements for available positions: (1)=no, (2)=yes (If yes, please specify sources of advertisements)

_____[55] d. contacted school placement service about potential law teaching opportunities: (1)=no, (2)=yes, (3)=no school placement service

_____[56] e. contacted people to serve as my references: (1)=no, (2)=yes

_____[57] f. contacted people (besides those at placement service) to provide information about possible law teaching positions: (1)=no, (2)=yes

_____[58] g. other job search activities: (1)=no, (2)=yes (If yes, please describe briefly)

_____[59] 24. Have you received any communications from law schools indicating that they are considering you for a law teaching position? (1)=no, (2)=yes

_____[60] If yes, please indicate in space [60] how many have contacted you.

25. **Methods of obtaining law teaching positions.**

_____[61] a. Which of the following do you think is the one most common way a law teaching applicant obtains a law teaching position? The applicant: (1)=has a sponsor within law school to which he or she is applying, (2)=uses the "old boy" network, (3)=provides an effective "sales job" to schools at which the applicant is interested in teaching, (4)=is lucky, (5)=shows evidence of his or her knowledge and intelligence in law school (i.e., by earning high grades, participating in Law Review, attending prestigious law school), (6)=attends the AALS recruitment conference, (7)=sends biographical information to be included in the AALS Registry, (8)=other (please specify)

_____[62] b. Which one of the above do you think is the second most common way a law teaching position is obtained? (Use the code in 25a)

Career Information

_____[63] 26. Have you received any information, through either formal or informal channels, about law teaching possibilities? (1)=no, (2)=yes

If no, go to Question 27.

If yes, answer a - d.

From which of the following sources have you obtained information:

_____[64] a. placement office: (1)=no, (2)=yes, (3)=school does not have placement office

_____[65] b. informal discussion with faculty members: (1)=no, (2)=yes

_____[66] c. school publications: (1)=no, (2)=yes (if yes, please specify ______________________________
______________________________)

_____[67] d. other channels: (1)=no, (2)=yes (if yes, please specify
____
______________________________)

_____[68] 27. Does your law school have a placement service of any type? (1)=no, (2)=yes

If no, go to Question 28.

If yes, please answer a - c.

_____[69] a. What is the approximate number of times you have used the career placement services? (1)=never, (2)=1-5 times, (3)=6-10 times, (4)=more than 10 times

_____[70] b. Please indicate the primary way in which you have used the placement services: (1)=have not used the placement services, (2)=to obtain general career advice and guidance from the placement officer or counselor, (3)=to obtain information about specific job possibilities from the placement officer or counselor, (4)=to consult written sources for general career information, (5)=to consult written sources for specific job possibilities, (6)=other (please specify ______________
______________________________)

_____[71] c. In general, have the placement services been helpful to you? (1)=no, (2)=yes, (3)=I have not used the service (if never used the service, please specify why ______________
____
______________________________)

28. Please indicate the importance to you of each of the following career goals:

(1)=no importance
(2)=little importance
(3)=some importance
(4)=great importance

_____[72] a. advance in organizational status
_____[73] b. attain top administrative position
_____[74] c. exercise leadership
_____[75] d. make a lot of money
_____[76] e. achieve national reputation
_____[77] f. have colleagues' respect
_____[78] g. transmit knowledge
_____[79] h. have freedom from supervision
_____[80] i. have time to research and write
_____[81] j. have time for family
_____[82] k. help students

29. What are your expectations for achieving these goals in a career:

(1)=unlikely
(2)=possible
(3)=probable
(4)=near certain
(5)=not a goal

_____[83] a. advance in organizational status
_____[84] b. attain top administrative position
_____[85] c. exercise leadership
_____[86] d. make a lot of money
_____[87] e. achieve national reputation
_____[88] f. have colleagues' respect
_____[89] g. transmit knowledge
_____[90] h. have freedom from supervision
_____[91] i. have time to research and write
_____[92] j. have time for family
_____[93] k. help students

_____[94] 30. Other comments about your law school experiences, law teaching, or this questionnaire:

THANK YOU. PLEASE RETURN THIS QUESTIONNAIRE AS SOON AS POSSIBLE.